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ABSTRACT

This report compiles findings of a survey of the child care regulatory offices of the 50 United States, the District of Columbia, Puerto Rico, and the Virgin Islands. The report begins with an introduction, definition of terms, and a question and answer summary. The bulk of the report is organized in alphabetical order by state or territory, and contains the licensing and regulatory data for each entity in the following 28 categories: (1) number and definition of regulatory programs; (2) regulations; (3) complaint procedures; (4) staff; (5) child documentation policy; (6) discipline policy; (7) environmental policy; (8) regulatory process subcontracting policy; (9) swimming pool policy; (10) drop-in child care; (11) overnight care programs; (12) school age care programs; (13) subsidized programs; (14) local contacts; (15) requirements; (16) unannounced inspection policy; (17) staff qualifications; (18) staff training; (19) child immunization policy; (20) emergency medical consent policy; (21) national life safety fire code; (22) smoking policy; (23) transportation policy; (24) infant care policy; (25) programs for children with disabilities; (26) sick child care programs; (27) reporting child abuse and neglect; and (28) new or pending legislation. (SD)

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THE
1999
CHILD CARE CENTER LICENSING STUDY

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1999 CHILD CARE CENTER
LICENSING STUDY

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The Children's Foundation thanks the various child care officials in each of the regulatory offices who took their time to provide and verify the information contained in the *1999 Study*. We also thank the readers and users for their comments and suggestions that help to improve this publication.

We offer a special thanks to Lisa Hickman from Otterbein College for assisting with the update process.

METHODOLOGY

The *1999 Study* is an update of the information initially compiled by The Children's Foundation in 1991. The data was obtained from the central regulatory office of each of the 50 states, District of Columbia, Puerto Rico, and Virgin Islands. All information in it was provided to The Children's Foundation by staff in each of these offices.

The regulatory offices were asked to review all the data as it appeared in the *1998 Study*, update or change the information, and add any new information in the appropriate categories. The Children's Foundation also includes new supplemental questions, developed from requests for information received during the year.

The initial mailing to the regulatory offices took place in September 1998. A follow up mailing by fax took place in November 1998 through January 1999. After the new data was gathered and compiled, proof sheets were sent back to the regulatory offices for confirmation and re-verification.

Any state with an asterisk (*) after the title indicates that CF received no new or updated information from that state by press date. Therefore, the information printed in the *1999 Study* is from the *1998 Study*. Any state that has a plus mark (+) after the title, indicates that the information was not reverified by the state.

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INTRODUCTION

The 1999 Child Care Center Licensing Study contains the results of a survey of the regulatory offices of the 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands. The asterisks **(*)** after the name of a state or territory indicates that updated information was not received by press date.

The information contained in this *Study* is organized in alphabetical order by the state or territory. The licensing and regulatory data for each entity is divided into 28 categories:

Number and Definition of Regulatory Programs
Regulations
Complaint Procedures
Staff Prescreening
Child Documentation Policy
Discipline Policy
Environmental Policy
Regulatory Process Subcontracting Policy
Swimming Pool Policy
Drop-In Child Care
Overnight Care Programs
School Age Care Programs
Subsidized Programs
Local Contacts
Requirements
Unannounced Inspection Policy
Staff Qualifications
Staff Training
Child Immunization Policy
Emergency Medical Consent Policy
National Life Safety Fire Code
Smoking Policy
Transporation Policy
Infant Care Policy
Programs for Children with Disabilities
Sick Child Care Programs
Reporting Child Abuse and Neglect
New or Pending Legislation

There is no uniform way in which the states and/or territories regulate child care centers, preschools, nursery schools, prekindergartens, and/or religiously affiliated child care centers._ The only common thread is that all of states and/or territories require child care centers to be regulated through "licensure" ("certification" in PA), or "registration."

The Definition of Terms can be found at the beginning the *Study*. This is followed by the Question and Answer Summary, which assists the reader in finding the "most often asked information." The 1999 *Study* has a new category: Drop-In Child Care. Under the category Staff Prescreening, we've included information about what crimes prohibit employment. At the end of the book there is a complete list of state/territory regulatory offices in alphabetical order. These offices provided the data contained herein.

The Children's Foundation welcomes and always appreciates comments or suggestions from our readers. If there is a specific piece of information which you are researching, send us a note detailing the information. We will try to include it in the next year's edition.

Kay Hollestelle
Executive Director

DEFINITION OF TERMS

These definitions are used by The Children's Foundation for this study. We have tried to be as precise as possible, but **variations exist among the states and territories**. Please refer to the specific state or territory for additional explanation, or write to them to secure a complete set of their regulations, including definitions.

ADA - The Americans with Disabilities Act of 1990.

CERTIFIED - see "licensing."

CHILD CARE CENTER - full or part time care for groups of children in a non-residential setting.

DROP-IN CHILD CARE - a child care center or an autonomous program within a child care center that provides care for children on an intermittent basis exclusively. In addition, child care services provided specifically to meet the short-term needs arising from tourism, recreation or shopping. Such as care at a shopping center, grocery store, hotels, and convention centers.

INFANT - a child birth to one year, but in some states/territories a child birth to 11 months, 15 months, or 18 months.

"INFANT ONLY" PROGRAM - a child care center which provides care to only infants; age varies among states/territories.

IN-SERVICE TRAINING - education required on a periodic time table (usually annually) of child care center directors, teaching and other staff while working in the child care center.

LICENSING - granting of formal permission by a designated state and/or local agency to an individual or legal entity to operate a child day care facility. The state/local agency has the authority to ensure that standards are being met, set procedures for revoking a license and provide appeal mechanisms. The purpose of licensing is to protect vulnerable consumers by setting a minimum floor for reasonably safe service [referred to as "certified" in PA].

NATIONAL LIFE SAFETY FIRE CODE - prescribes regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises.

OVERNIGHT CARE PROGRAMS - a child care program which offers its services to families 24 hours a day, but in which a child is not in care more than 23 hours in one 24 hour period.

PRE-SERVICE TRAINING - education and/or combination of education and experience required of child care center directors, teaching and other staff prior to being hired to work in a child care center.

PRESCHOOLER - a child 3 and 4 years of age.

REGULATED CHILD CARE - child care that is required to comply with established state and/or local codes.

SCHOOL AGE - generally divided into two categories: a child 5-6 years of age (kindergarten) and a child 6-13 years of age.

SCHOOL AGE PROGRAM - a child care center which offers care to children before and/or after school, including before and/or after kindergarten.

SICK CHILD CARE PROGRAM - a child care center which offers care to mildly ill children.

STAFF - individuals employed at a child care center, which may include the director or administrator, assistant director, training or education coordinator, head or lead teacher, program director, assistant teachers, aides, secretaries, kitchen and maintenance personnel.

TODDLER - generally divided into two categories: a child 1-2 years of age (young toddler) and a child 2-3 years of age (older toddler).

REFERENCE
Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs, American Public Health Association, Washington, DC; American Academy of Pediatrics, Elk Grove, IL, 1992.

QUESTION AND ANSWER SUMMARY

THE INTRODUCTORY SUMMARY HIGHLIGHTS THE QUESTIONS (AND ANSWERS) MOST FREQUENTLY ASKED DURING THE YEAR. WE URGE THE READER, HOWEVER, TO REFER TO A SPECIFIC STATE OR TERRITORY FOR MORE IN-DEPTH INFORMATION.

Q - How many regulated child care centers are in the 50 States, District of Columbia, Puerto Rico and Virgin Islands?

A - **102,458** regulated child care centers; all are licensed or certified; the exception: 313 registered only centers in South Carolina.

This represents a **3.4% increase** from data reported in our *1998 Study* and more than a **15.8% increase** from data The Children's Foundation published in 1991.

The chart on the following page provides a breakdown of the number of regulated child care centers by state or territory; these numbers were reported by the individual state or territory during the months October, 1998 through January 1999.

NUMBER OF REGULATED CHILD CARE CENTERS IN EACH STATE OR TERRITORY

Alabama	1,353	Nebraska	783
Alaska	225	Nevada	399
Arizona	1,910	New Hampshire	1,200
Arkansas	1,935	New Jersey	3,500
California	13,051	New Mexico	600*
Colorado	2,503	New York	3,411
Connecticut	1,638	North Carolina	3,825
Delaware	267	North Dakota	109
District of Columbia	354	Ohio	3,760
Florida	6,052	Oklahoma	1,912
Georgia	1,244	Oregon	970
Hawaii	384	Pennsylvania	3,508
Idaho	526	Puerto Rico	480
Illinois	2,907	Rhode Island	360
Indiana	656	South Carolina	1,731
Iowa	1,526	South Dakota	164
Kansas	1,385	Tennessee	3,033
Kentucky	1,974	Texas	7,733
Louisiana	1,808	Utah	320
Maine	904	Vermont	515
Maryland	2,284	Virgin Islands	205
Massachusetts	2,295	Virginia	2,402
Michigan	4,746	Washington	1,883
Minnesota	1,574	West Virginia	320
Mississippi	1,555	Wisconsin	2,295
Missouri	1,515	Wyoming	218
Montana	251	-------	-----

*figures from 1998 STUDY

Q - The definition of regulated child care varies by state or territory. How are these programs defined?

In **29** [54.7%], the number of regulated child care centers includes nursery schools, preschools, prekindergartens and religiously affiliated centers:

AR	AZ	CA	CO	CT	DC	DE	HI	KS	KY
LA	MA	MD	MI	MN	MS	NC	NH	NJ	NM
NV	NY	OH	PR	SD	VI	VT	WI*	WY	--

*exempts centers regulated by local private education system

In **11** [20.7%], the number of regulated child care centers includes religiously affiliated centers, but excludes nursery schools, preschools and prekindergartens:

ID	ME	MT	ND	NE	OK	OR	PA	RI	TX	WA

In **7** [13.2%], the number of regulated child care centers excludes religiously affiliated centers and those regulated by state Departments of Education:

--	AK	FL	GA	IA	IL	TN	UT	--	--

In **6** [11.3%] remaining, there are two variations: (A) In **3**, documented number of regulated child care centers excludes nursery schools, preschools, prekindergartens and religiously affiliated centers; and (B) in **3**, the documented number of regulated child care centers includes nursery schools, preschools & prekindergartens, but excludes religiously affiliated centers:

Variation (A)					**Variation (B)**				
---	IN	MO	WV	---	---	AL*	VA*	SC*	---

*may choose to be regulated voluntarily

Q - How many and what states and/or territories charge a fee for licensing?

In **23** [43.4%] states and/or territories, no fee:

AK	AL	DE	GA	HI	IA	IL	IN	MD	MO
MT	NC	NH	NY	OK	PA	PR	RI	SC	SD
VT	WV	WY	---	---	---	---	---	---	---

In **21** [39.6%] states and/or territories, assessed fee varies according to the number of children cared for in the center:

AR	CA	CO	FL	KS	LA	MA	MI	MN	MS
ND	NE	NJ	NV	OR	TN	TX	UT	VA	WA
WI	---	---	---	---	---	---	---	---	---

In **9** [17.0%] states and/or territories, fixed fee:

AZ	CT	DC	ID	KY	ME	NM	OH	VI	---

Q - How many and what states and/or territories renew child care center licenses annually? every 2 years? every 3 years or more?

In **23** [43.3%], license renewal is required annually:

DC	DE	FL	GA	HI	IA	KS	KY	LA	MD
ME	MS	MT	NM	NV	OR	PA	RI	SD	TN
VI	VT	WY	---	---	---	---	---	---	---

In **18** [33.9%], license renewal is required every two years:

AK	AL	CT	ID	IN	MA	MI	MN	MD	ND*
NY	OH	OK	PR	SC	UT*	WI	WV	---	---

*1 and 2 year licenses available

In **12** [22.6%], license renewal is required every three years, or license is non-expiring:

AR~	AZ*	CA~	CO~	IL*	NC~	NE^	NH*	NJ*	TX~
VA+	WA*								

*renewal required every three years
+VA--1 to 3 year licenses available
^NE--1 year, probationary, and non-expiring licenses available
~perpetual, non-expiring

Q - How many and what states and/or territories required centers to be tested for the presence of asbestos, lead, radon or other material as a condition of licensure?

In **19** [35.8%], testing is required for the presence of asbestos, lead and/or radon:

AZ*	CT	DC^	DE^	IA"	MA^	MD	ME^	MO^	NH
NJ	NY'	PR	RI	SC^	UT+	VA+	VT	WI~	---

*lead, asbestos and oil
"lead, radon and carbon monoxide
^lead only
'lead if facility was built before 1978
+asbestos if facility was built before 1978
~water tested for the presence of lead

In **31** [58.5%], testing for the presence of asbestos, lead and/or radon is not required:

AL	AR	AK	CA	CO	FL	GA	HI	ID	IN	KS
KY	MI	MN	MS	MT	NC	ND	NE	NM	NV	OH
OK	OR	PA	SD	TN	TX	VI	WA	WY	--	--

In **3** [5.6%], no information was provided by state or territory:

---	---	---	IL	LA	WV	---	---	---	---

Q - How many and under what circumstances do child care centers receive unannounced inspection visits from the licensing agency?

In **10** [18.9%] states and/or territories, all inspection visits are unannounced:

CT	GA	LA	ME	NE	ND	NJ	NM	PR	UT

In **19** [35.8%] states and/or territories, unannounced inspection visits at least annually and upon compliant:

AL	AZ	CA	DC	IA	IL	KS	KY	MA	MO
MS	MT	OH	OR	TN	TX	VA	WV	WY	--

In **9** [17.0%] states and/or territories, unannounced inspection visits occur 2-4 times per year:

AR	FL	IN	NV	OK	RI	VI	VT	WI	--

In 7 [13.2%] states and/or territories unannounced inspection visits only take place when a complaint has been filed; all other inspection visits are announced:

DE	HI	MD*	MI	NC	SD	WA	---	---	--

*and for compliance monitoring inspections

In 7 [13.2%] states and/or territories the unannounced inspection visit policy varies:

---	AK*	CO++	MN+	NH++	NY*	PA*	SC~	--	--

+ upon licensing review, complaints and reinspection
++once every three years
*randomly and upon complaint
~ all except renewal

In 1 [1.9%] state all inspections/visits are announced:

--	---	---	---	ID	--	---	---	---	--

Q - According to the guidelines for staff/child ratios in Caring for Our Children: National Health and Safety Standards, how many and what states and/or territories meet (or come close to meeting) these recommendations? [In each age category that follows, all other states and/or territories do not meet the recommended staff/child ratios.]

INFANTS BIRTH to 1 YEAR [NHSS recommendation is 1:3]:

4 [7.5%] meet the recommendation:

--	---	---	HI	KS	MA	MD	---	---	--

31 [58.5%] have a 1:4 ratio:

CA	CT	DC	DE	FL	IA	IL	IN	ME	MI	MN
MO	MS*	MT	ND	NE	NH	NJ	NY	OK	OR	PA
PR	RI	TX	UT	VA	VT	WA	WI	WV	--	--

*has 1:3-5 ratio

YOUNG TODDLERS 1-2 YEARS of AGE [NHSS recommendation is 1:3]:

1 [1.9%] state only meets the recommendation:

--	---	--	---	MD	--	---	---	---	--

16 [30.2%] additional states and/or territories have a 1:4 ratio:

CA	CT	DC	HI	IA	MA	MI	MO	ND	NY
OR	PR	UT	VT	WI	WV	---	---	---	--

OLDER TODDLERS 2-3 YEARS of AGE [NHSS recommendation is 1:4-5]:

8 [15.1%] states and/or territories meet the recommendation:

--	CT	IN	KS	NY	OR	PR	SD	VT	--

PRESCHOOLERS 3-5 YEARS of AGE [NHSS recommendation is 1:7 for younger preschoolers and 1:8 for older preschool children]:

2 [3.8%] states meet the recommendation with a 1:6-7 ratio:

--	---	---	---	NY	NC	---	---	---	--

SCHOOLAGERS 6-12 YEARS of AGE [NHSS recommendation is 1:10 for children ages 6-8 years and 1:12 for children ages 9-12 years]:

6 [11.3%] states and/or territories partially meet the recommendation:

--	---	CT	ME	NY	PA	PR	VI	---	--

Q - How many and what states and/or territories permit a change in the staff/child ratios during naptime? [NOTE: states and/or territories which permit change, also require the remainder of staff be on the premises within calling distance.]

In **28** [52.8%] states and/or territories no change is permitted:

AK	AZ	CO	CT	DC	FL	HI	IN	KS	KY
LA	MA	MD	ME	MI	MO	MT	ND	NH	NM
NV	NY	PR	SD	VI	VT	WA	WV	---	--

In **10** [18.9%] states and/or territories a 50% increase in the number of children other than for infants per staff is permitted while children are asleep:

AL	AR	GA*	IL	MN	MS	PA	TN	TX	VA

*up to three years of age

In **4** [7.5%] states and/or territories a 50% increase in the number of children, no matter their ages, per staff while children are asleep is permitted:

--	---	---	CA	DE	OH	UT	---	---	--

In **6** [11.3 %] states and/or territories permit only one adult in each nap room while all children are asleep:

---	---	IA~	NC*	NE	OK+	OR	WV*	---	--

*all children must be over two years of age
+all children must be three years of age
~not to exceed 1 hour and not in infant area

In **4** [7.5%] states and/or territories, naptime staff to child ratios vary:

--	---	---	NJ*	RI+	SC+	WI~	---	---	--

*ratio is 1:10 if all children are under 2 1/2 years
+permits a change, but no specific guidelines given
~permits use of other staff (cooks, drivers, secretaries) to fill in for child care workers

In **1** [1.9%] state only there are no staff to child ratios:

--	---	---	---	ID	--	---	---	---	--

Q - What states and/or territories have group size definitions for children birth to 3 years?

In **34** [64.1%] there are group size definitions:

AL	CO	CT	DC	GA	HI	IL	IN	KS	KY
LA	MA	MD	ME	MN	MO	MS	NC	NH	NJ
NY	OH	OK	OR	PA	RI	SD	TN	TX	UT
VI	WA	WI	WV	---	---	---	---	---	--

In **19** [35.8%] there are no group size definitions:

AK	AR	AZ	CA	DE	FL	IA	ID	MI	MT
ND	NE	NM	NV	PR	SC	VA	VT	WY	---

THE 6 CHARTS THAT FOLLOW DEFINE THE GROUP SIZES BY AGES:

Maximum Group Size: Birth-12 Months

Group Size	State or Territory
8	CT(birth-36 mos), IN, MN, MO, OK(birth-9 mos), PA, WA(birth-11 mos)
6-8	HI(infant/toddler centers only)
9	KS
10	KY, NC, TX(birth-11 mos)
10-12	OH
12	GA, IL, LA, NH

Maximum Group Size: Birth-18 Months

Group Size	State or Territory
6	AL
7	MA(birth-15 mos)
8	NY, RI
10	CO, TN(birth-15 mos)
12	GA(not walking), ME(birth-12-15 mos)

Maximum Group Size: Birth-24 Months

Group Size	State or Territory
8	OR(birth-30 mos), UT, WI
9-10	MS, WV(10 for infants and toddlers)
14	IL
20	NJ(birth-5 yrs), SD(birth-5 yrs)

Maximum Group Size: 12-24 Months

Group Size	State or Territory
6-12	HI
9	MA(15-33 mos)
10	CO(12-36 mos), IN, KS(12-30 mos), PA
12	KY, NC, OK(10-23 mos)
14	MN, TN(12-20 mos), WA(12-17 mos)
15	IL, ME(12-15 mos to 33-36 mos), NH
14-16	OH(12-26 mos)
16	GA(1 yr walking), LA

Maximum Group Size: 18-30 Months

Group Size	State or Territory
8	AL(18-30 mos)
10	IN(toddlers)
10-12	HI(18-36 mos), NY(18-36 mos)
12	RI(18-36 mos)
18	TX(18-23 mos)

Maximum Group Size: 24-36 Months

Group Size	State or Territory
8	DC(24-30 mos), VI(24 mos to 6 yrs)
12	AL(30 mos - 4 yrs), LA, MD, PA, WI(24-30 mos)
12-14	MS(24 mos to 4 yrs), MN
14	CO, KS, UT, WA(24-29 mos)
15	IN
16	CO(30-36 mos), DC(30-36 mos), IL, MO, OK, TN, WI(30-36 mos)
18	NH
20	GA, KS(30 mos to 6 yrs), KY, NC, OR(30 mos to 5 yrs), WA(30 mos to 5 yrs)
22-26	TX
24	ME(30 mos to 6 yrs)

Q - How many states and/or territories regulate "drop-in" child care?

In **35** [66.0%] have either separate "drop-in" requirements or it is part of the full regulations.

The following **18** [34.0%] have varying restrictions, exemptions, do not regulate, have pending legisation or no information on "drop-in" regulations.

AR	CT	HI*	IA	ID-	IN-	IL	KS^	LA	MA
MT	ND-	NM^	NY-	SC-	TN	VI-	WA		

- do not regulate; *pending; ^ no information

Q - How many and what states and/or territories have "infant only" child care centers?

In **29** [54.7%] there are "infant only" centers:

AR	AZ	CA	CO	CT	DC	GA	HI	IL	KY
MA	MD	MI	MN	MO	MT	NC	ND	NE	NJ
NV	NY	OH	OR	SC	SD	VA	WI	WY	--

Q - How many and what states and/or territories have "evening or overnight" child care centers?

In **45** [84.9%] there are "evening and/or overnight centers:"

AL	AR	AZ	CA	CO	CT	FL	GA	HI	IA
ID	IL	IN	KS	KY	LA	MA	MD	ME	MI
MN	MO	MS	MT	NC	ND	NE	NJ	NM	NV
NY	OH	OK	PA	SC	SD	TN	TX	VA	VI
VT	WA	WI	WV	WY	---	---	---	---	--

Q - How many and what states and/or territories have a policy regarding smoking in a licensed/certified child care center?

35 [66.0%] prohibit smoking at a child care facility:

AK	AR	AZ	CA	CO	DE	FL	GA	HI	IA
IL	IN	KS	MD	ME	MI	MN	MO*	MS	MT
ND	NE	NH	NM	NY	OH	OK	PA	RI	TX
UT	VI	VT	WA	WI	--	---	---	---	--

*legislation passed but not yet implemented

17 [32.0%] states and/or territories permit smoking in designated areas and with restrictions:

AL	CT	DC	KY	LA*	MA	NC	NJ	NV	OR
PR	SC	SD	TN	VA	WV	WY	---	---	--

*varied smoking policy based on Class A or Class B center

1 [1.9%] state permits smoking with no restrictions:

--	---	---	---	ID	--	---	---	---	--

Q - Which states and/or territories have pre-service training requirements for staff?

Type/Amount	Center Directors or Administrators	Head/Lead Teacher or Program Director
Combination of Education and Experience Required	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, PR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY	AL, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IN, KS, MA, MD, ME, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NV, NY, OR, PA, PR, RI, SC, SD, TX, UT, VA, VT, WI
Special: i=infant t=toddler s=sick/mildly sick d=disability	NV (i,t,s,d)	CA (i,s), DE (s,d), HI (i,w), MA (i,t), VA (d)
CPR/first aid	AR, CA, CO, CT, DC, GA, IN, KS, MA, MS, MT, NM, NV, PA, PR, SC, SD, TX, UT, VA, WA, WV, WY	AR, CA, CO, CT, DC, GA, IN, KS, MA, MS, MT, NM, NV, PA, PR, SC, SD, TX, UT, VA, WA, WV, WY
Orientation	NE, OK, TN	GA, KY, OK, SC, TN, TX
None	VI	AK, AR, IA, ID, KY, LA, MI, NM, OH, OK, WA, WV, WY

Type/Amount	Other Teaching Staff	Other Staff: Dieticians, Aides, Volunteers, Food and Administrative Staff
Combination of Education and Experience Required	AZ, CA, CO, DC, DE, FL, HI, IN, KS, MD, MN, MO, MS, MT, ND, NE, NH, NV, NY, OR, PA, RI, SC, TX, UT, VA, VT, WI	AL, AR, AZ, DC, DE, IN & KS (aides), MO, MS, MT & NE (aides), RI (nurse), UT
Special: i=infant t=toddler s=sick/mildly ill d=disability	CA (i,s), CO (i,t), DE (d,s), HI (i,s), MA (i,t), MD (i,t), VA (d), WI (i,t), WV (i,t), WY (i)	CO (i,t) - aides only CT - dietician RI (i,t) - nurse
CPR/first aid	AR, CA, CO, CT, DC, GA, IN, KS, MA, MS, MT, NM, NV, PA, PR, SC, SD, TX, UT, VA, WA, WV, WY	------------
Orientation	GA, KY, LA, MA, OK, SC, TN, TX, WI	GA (Aides), KY, MN, OK, SC, TN, TX, UT, WA, WI
None	AK, AL, AR, IA, ID, IL, KY, LA, MD, ME, MI, NC, NM, NJ, OH, OK, PR, SD, VI, WA, WV, WY	AK, AL, AR, CA, CO, CT, FL, HI, IA, ID, IL, KY, LA, MA, MD, ME, MI, NC, ND, NH, NJ, NM, NV, NY, OH, TX, VAL VI, VT, WA, WI, WV, WY

Q- Which states and/or territories have in-service training requirements?

Hours annual unless noted otherwise	All Teaching Staff	Director/ Administrator	Lead/Head Teacher and Program Director
1-3	NV(3)	NV(3)	MD(3)
4-6	AL(4), CO(6), ID(4), NH(6), PA(6), VT(6)	MD(6), KS(6), PA(6)	-------------
7-12	AR(10), AZ(12) FL(8), GA(10) IA(10 1st yr, 6 after), KS(10) IN(12), KY(12), LA(12), MO(12), MT(8), ND(13), NE(12), NJ(8), OK(12), TN (12), VA(8), WY(8)	IA(10 1st yr, 8 after), MO(12) MT(8), ND(10) NE(12), VA(8), VT (9), WY (8)	AL (8), IA(10 1st yr, 8 after), KS(10), NJ (12)
15-25	AK(15), DE(15) IL(15), MA(20) MS(15), NM(24 NY(15 in 2 yrs) OH(15, max 45) OR(15), SC(15) SD(20), TX(15) UT(40 1st yr, 20 after) WI(25), VT(30)	IL(15), KS(15) MS(15), NM(24) NY(15 - 2 yrs) OH(15, max 45) OK(20), OR(15) SC(20), SD(20) TX(20)	WI(25)
Based on the number of hours worked	CT(1%), ME(24>20 hrs/wk, 12<20 hrs/wk, MN(2%)	-----------	-----------
Number of hours not defined	NC, NJ, RI, VI, WA, WV	-----------	-----------
Special: i=infants t=toddlers s=sick care d=disability	IL(d), NJ(s), VI(d), UT(i), VT(i,t)	-----------	-----------
None	CA, DC, HI, MI, PR	CA, DC, HI, MI, NH, PR	------------

ALABAMA (AL)

Information
Supplied by: Frances Arnold, Assistant Director
Family Services
DHR, Office of Child Care
50 Ripley Street
Montgomery, AL 36130
PHONE: (334) 242-1425
FAX: (334) 242-0939

Number and Definitions of Regulated Programs

-**1,353** licensed centers.

-Nursery schools, prekindergartens operating longer than four hours a day and not operated by public schools are subject to licensure; religiously affiliated facilities are exempt, but have the option of being licensed.

Requirements

-License required; preapproval inspection required.

-Licenses are renewed every 2 years; no license fee.

-Written fire and health department approvals required.

-General or professional liability insurance not required.

-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 32 sq. ft.; outdoor - 60 sq. ft. (over age 2 1/2); 50 sq. ft. (under age 2 1/2).

-Staff/child ratios: 3 weeks - 18 months (1:6); 18 months - 2 1/2 years (1:8); 2 1/2 - 4 years (1:12); 4-6 years (1:20); 6-8 years (1:22); 8 years and older (1:25).

-Naptime staff/child ratios: 3 weeks - 18 months (1:6); 18 months - 2 1/2 years (1:16); 2 1/2 years and older (1:40).

-Group size delineations: 3 weeks - 18 months (group size - 6); 18 months - 2 1/2 years (group size - 8); 2 1/2 - 4 years (group size - 12); 4-6 years (group size - 20); 6-8 years (group size 22); and 8 years and older (group size 22).

Unannounced Inspection Policy

-Renewal, annual and complaint inspections are unannounced.

Complaint Procedure

-Policies that require immediate closing of a center exist.

-Length of time center has to come into compliance depends on situation.

-Resource and referral agencies notified when a center is closed.

-Complaints registered against a center are prioritized and investigated.

Staff Qualifications

-No state recommended salary schedule for center staff.

-Minimum age requirement for working in a center is 19; younger staff can work but may not be counted in child/staff ratio.

-Compliance with ADA in staff hiring is in the process of being reviewed and, if necessary, corrected, by the ADA coordinator for the state. Most centers have published notices that they are equal opportunity employers.

Staff Prescreening

-Staff required to have a medical examination once every 4 years; no recent changes in the TB screening policy; TB skin test required once initially.

-Service is offered for child abuse clearance, but is not required.

-Crimes that prohibit employment: criminal convictions that indicate unsuitable character to work in a child care facility include: sex related crimes; serious intentional, reckless or negligent physical injury, danger or death of another person; crimes against a child.

-Not required - fingerprinting, criminal records background check, chest x-ray (only required if TB test is positive), AIDS test, Hib and measles immunizations, and drug and alcohol tests.

-Self-disclosure required for criminal records.

-Conditional hiring prior to results of prescreening not allowed.

-3 written references from non-relatives, including at least one previous employer, required for center staff.

Staff Training

-Preservice education and experience required for center directors and program directors; high school diploma or GED required for teachers; cook and service staff must be able to read and write; all required to participate in center orientation.

-Program directors must obtain at least 8 clock hours of training each year; child care workers must obtain at least 4 clock hours of training each year; service staff shall obtain at least 2 clock hours of training each year.

-No special training required for infant care, special needs care, sick child care, or drop in care.

-CPR/ first aid is not a separate preservice and/or in-service training requirement.

Child Documentation Policy

-Center must keep specific information on each enrolled child.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children are required to be immunized according to the schedule prescribed by the State Health Department; includes Hib.

Discipline Policy

-Corporal punishment is prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Has been adopted by state.

Regulatory Process Subcontracting Policy
-AL is investigating a pilot for outsourcing licensing in one county for all child care facilities, including centers.

Smoking Policy
-Smoking is permitted only in designated areas, away from the children, food storage, and food preparation.

Swimming Pool Policy
-Guidelines for swimming pools include: fence, locked gate, lifeguard and Red Cross lifesaving certificate.
-Child/staff ratio is affected: More staff is required.

Transportation Policy
-Regulations concerning the transportation of children exist.

Drop-In Child Care
-Centers can provide "drop-in" child care if there are vacancies in the group to which the child will be assigned; child/staff ratios must be maintained; required records are maintained; an advanced plan of care must be made with the parent/guardian.

Infant Care Programs
-No separate regulations.
-No centers provide care to "infants only."

Overnight Care Programs
-Special requirements include: bathing facilities, staff, and sleeping accommodations.
-46 licensed for nighttime care (includes evening and overnight).

Programs for Children with Disabilities
-Separate regulations exist.
-Compliance with ADA in providing services to children involves trying to establish training for providers to help them understand the requirements of Title 3.

School Age Programs
-No separate regulations exist; included in the Minimum Standards for Child Care Centers.

Sick Child Care Programs
-No separate regulations.

Subsidized Programs
-Contact Frances Arnold, DHR, 50 Ripley Street, Montgomery, AL 36130; phone (334) 242-1425.

Reporting Child Abuse and Neglect
-Contact any Sheriff's Dept. or any County DHR office.

Local Contacts
-Mobile County Department of Human Resources
P.O. Box 1906
Mobile, AL 36633-1906

-Madison County Dept. of Human Resources
2206 Oakwood Avenue, N.W.
Huntsville, AL 35810-4499

New or Pending Legislation
-None.

ALASKA (AK)

Information
Supplied by:
Jeanie Henry
Division of Family & Youth Services
P.O. Box 110630
Juneau, AK 99811-0630
PHONE: (907) 465-3207
FAX: (907) 465-3397

Definition and Number of Regulated Programs

-**225** licensed day care centers [120 by the State of Alaska; 105 by the Municipality of Anchorage (contact: Martha Anderson, 907-343-4676, fax: 907-343-6584)].

-Nursery schools, prekindergartens centers are included in this number; preschools are certified by the AK Dept. of Education and are not included in this number.

Requirements

-License required; preapproval inspections required.

-Licenses are renewed every two years; no license fee.

-Fire safety and sanitation inspections required biennially.

-General and/or professional liability insurance not required.

-Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.

-Staff/child ratios: infants - 1:5; toddlers - 1:6; preschool - 1:10; kindergarten - 1:15; schoolage - 1:20; mixed age groups - ratio for youngest child applies.

-Naptime staff/child ratios: same as above; no change.

-Group size delineations: None.

-Centers must have at least one caregiver on duty at all times with current CPR and first aid training.

Unannounced Inspection Policy

-Centers may receive unannounced inspections at anytime, usually this happens in the case of a complaint or when licensing staff has reason to believe center is not complying with regulations/law.

Complaint Procedure

-If well being of a child is in jeopardy, center may be closed immediately.

-Noncompliance situations where children are not in jeopardy require only a warning.

-Length of time center has to come into compliance is variable.

-Resource and referral agencies, as well as Day Care Assistance administrators, are notified when a center is closed.
-Complaints registered against a center are responded to.

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement for administrator is 21; minimum age requirement for caregivers is 18.
-No information available regarding ADA in staff hiring.

Staff Prescreening
-Recent change in TB screening policy: as of 1/1/96 TB testing of personnel will not be required - State Department of Public Health think they have other adequate means of TB control.
-Medical examination may be required upon request; child abuse clearance is required; criminal background check required for all administrators and all adult occupants of facilities.
-Crimes that prohibit employment:assault, felony offenses, sexual offenses, crimes involving domestic violence.
-Not required - AIDS test, Hib and measles immunizations, drug and alcohol tests.
-Administrators or caregivers may never have been under indictment for or convicted within the previous 10 years of a crime of assault, felony, crime involving domestic violence, reckless endangerment, contributing to the delinquency of a minor, misconduct involving a controlled substance or unsworn falsification, as defined in AS.11 or laws of another jurisdiction, or a sex crime as defined in AS.12.62.035.
-Conditional hiring prior to results of prescreening not allowed.
-3 written references including 2 from non-relatives and including 1 from a previous supervisor required for administrator; 3 written references including 2 from non-relatives required for caregivers.

Staff Training
-12 hours college level credit in early childhood education or CDA required for all center directors; no requirements for lead/head teachers, assistant teachers, teacher aides or dietician and kitchen staff.
-There must be at least one "associate administrator" for every 30 children in care who meets the same training requirements as the administrator (director).
-15 hours annual in-service training required for center staff.
-No special training required for infant care, special needs care, sick child care, or drop in care.

Child Documentation Policy
-Center must have on each enrolled child: emergency record card; record of immunizations; must keep daily attendance record.
-No provision for screening children for blood lead level prior to acceptance in licensed child care programs.

Child Immunization Policy
-Enrolled children must be immunized; Hib immunization not required for enrolled.

Discipline Policy
-No form of corporal punishment may be used on any child in care.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure; although testing is not automatically done, if a problem is suspected, the Department of Environmental Conservation does inspect.
-There is no state financial assistance for the inspection and remediation of child care facilities for lead, asbestos or radon.

National Life Safety Fire Code Policy
-An adaptation is used; Uniform Fire Code and Uniform Building Code.

Regulatory Process Subcontracting Policy
-AK does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.
-AK law does allow delegation of licensing authority to a municipality; i.e. the municipality of Anchorage has assumed authority for child care center licensing.

Smoking Policy
-Smoking is prohibited in centers at any time.

Swimming Pool Policy
-No guidelines for the use of swimming pools by child care centers.

Transportation Policy
-Requirements concerning the transportation of children exist.

Drop-In Child Care
-"Drop-in" child care is regulated in the same manner as day care centers.

Infant Care Programs
-No separate regulations for centers which service infants.
-No centers provide care to "infants only."

Overnight Care Programs
-No overnight care programs in centers.

Programs for Children with Disabilities
-Staff orientation must include training in care of specific children with disabilities; before admission of child with a special need, there must be discussion with parent and a plan of care; mainstreaming of children required per ADA.

School Age Care Programs

-Care will supplement child's school activities, providing change of pace and interest between school and child care program; freedom appropriate to the age of the child and opportunities for self-reliance and social responsibility; separate space, equipment, and supplies for the school age children if their presence infringes on the required space, equipment, and supplies for younger children; opportunities for school-age children to participate in the selection and planning of their own activities.

-Separate regulations do not exist for school age child care.

Sick Child Care Programs

-A facility that cares for a mildly ill child shall arrange a plan of care with the parent and provide a place where, under adult supervision, the child may rest or play quietly apart from other children.

Subsidized Programs

-Contact Alaska Dept. of Community and Regional Affairs, Child Care Programs, 333 W. 4th Ave., Suite 220, Anchorage, AK 99501-2341: (907) 269-4670).
or
Alaska Department of Health & Social Services, Division of Public Assistance, P.O. Box 110640, Juneau, AK 99811-0640, (907) 465-3347.

Reporting Child Abuse and Neglect

-Call 1-800-478-4444, or call the nearest office of AK Division of Family and Youth Services.

Local Contacts

-Southeast Regional Offices
3052 Clinton Drive, 2nd Floor
Juneau, AK 99801
(907) 465-3235

Southcentral Regional Offices
550 West 8th Avenue, Ste. 304
Anchorage, AK 99501
(907) 265-5095

-Northern Regional Offices
751 Old Richardson Highway
Number 300
Fairbanks, AK 99701-7899
(907) 451-2650

New or Pending Legislation

-None

ARIZONA (AZ)

Information Supplied by:

Lourdes B. Ochoa
Health Program Manager
Department of Health Services
Office of Child Care Licensure
1647 E. Morten, Suite 230
Phoenix, AZ 85020
PHONE: (602) 674-4220
FAX: (602) 861-0674

Number and Definition of Regulated Programs

-**1,910** licensed centers.
-Nursery school, prekindergartens and religiously affiliated centers are included, including those operated by the public schools.

Requirements

-License required; preapproval inspection required.
-License renewed every three years; $150 fee initially and at renewal goes to the General Fund.
-Fire safety inspection required every 2nd year; building code inspection initially; kitchen sanitation inspection and gas inspection required annually.
-General liability insurance is required; no requirement for professional liability.
-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft. for infants and one year olds, 25 sq. ft. for two year olds and older; outdoor - 75 sq. ft. per child.
-Staff/child ratios: infants - 1:5 or 2:11; one year olds - 1:6 or 2:13; two year olds - 1:8; three year olds - 1:13; four year olds - 1:15; five year olds - 1:20; school age - 1:20; mixed age groups - the ratio of the youngest child in the group.
-Naptime staff/child ratios are the same as at other time.
-Group size delineations: none.
-At least one person must be on premises at all times with current certificates in first aid and CPR.

Unannounced Inspection Policy

-One unannounced visit annually.

Complaint Procedure

-No policies that require the immediate closing of a center.
-If found in violation of licensing regulations, center must come into immediate

compliance or have written plan for correcting deficiencies and proposed date for completion.
- License may be revoked or suspended at any time for fraud or deceit in obtaining the license; center personnel incorrectly registered; center has personnel addicted to drugs or alcohol, who have engaged in physical, emotional or sexual abuse, who use unacceptable disciplinary methods, or failure to comply with the provisions of the Child Care Act.
- Resource and referral agencies are notified of center closings through telephone contact.
- Complaints against a center are scheduled and investigated in accord with priorities assigned by the Team Leader. These are: (1) 48 working hours following receipt; (2) 10 working days of receipt; (3) 30 working days of receipt; (4) evaluation without an on-site visit; and (5) next on-site visit.

Staff Qualifications

- No state recommended salary schedule for staff.
- Minimum age requirements: 16 years for a volunteer or paid assistant teacher with supervision; 18 years for teacher caregiver; 21 years for director.
- High school diploma or the equivalent.
- 6 months experience required to work without supervision.
- Compliance with ADA in staff hiring is not addressed by the Office of Child Care Licensing at this time.

Staff Prescreening

- Fingerprinting and criminal records background check required within 20 days of employment and upon transfer to another corporation or private business.
- Crimes that prohibit employment: crimes against children; sex related crimes; drug related offenses; child care personnel means any employee or volunteer working at a child care facility.
- No recent changes in the TB screening policy - skin test for TB required prior to employment; chest X-Ray required if TB test is positive; tuberculin tests are required for center personnel as follows: a tuberculin skin test shall be obtained prior to employment and for volunteers who will be in contact with children at the center on a weekly basis; if a prospective employee is known to be tuberculin skin test positive, that individual shall submit verification of current freedom from communicable tuberculosis based on examination by a physician or public health clinic. Personnel who have previously tested positive on skin tests must obtain a chest x-ray and sputum examination at any time they manifest symptoms compatible with tuberculosis. If the center is located in a home, every member of the household shall be subject to the tuberculosis screening required for personnel.
- Written statement is required to be provided by the individual, testifying to immunity of measles.
- Not required - medical examination, child abuse clearance, AIDS test, Hib immunization, and drug and alcohol test.
- Conditional hiring before results of prescreening not regulated.
- Six references required: 3 personal and 3 professional.
- No special requirements regarding substitutes.

Staff Training

-A combination of preservice education/experience is required for all staff; different depending upon position.

-All staff required to participate in 12 hours of in-service training annually.

-No special training required for infant care, sick child care, or drop in care; training for care of children with disabilities may be required depending upon the nature and severity of the child with a disability.

Child Documentation Policy

-Complete file must be maintained on each child; must be enrolled by parent or guardian; record of proper immunizations; custodial award to court on the application.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children are required to be immunized, except for documented medical or religious exemptions.

-Hib immunization required: regulations require a verifiable record provided by the child's health care provider, parent or guardian stating that the child has received the age-appropriate immunizations for Haemopilus Influenza, Type B.

Discipline Policy

-Corporal punishment not allowed.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are required as a condition of licensure to test the environment for lead, asbestos, and oil, but not for radon. Records are kept by the AZ Department of Environmental Quality and the applicable county office of air pollution control.

-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon, lead or oil.

National Life Safety Fire Code Policy

-State has adopted 1995 edition of NFPA 101 Life Safety Code for child care centers.

Regulatory Process Subcontract Policy

-No information available.

Smoking Policy

-Smoking is prohibited in child care centers.

Swimming Pool Policy

-Swimming pool must be enclosed by a wall, fence or barrier that meets the requirements of the swimming pool ordinance enacted by local government.

-Swimming pools that are a minimum of 2 feet in depth must have been inspected

by the Department or a city or county health department prior to use by children in care and must meet requirements (found in ACC r9-811 through ACC R9-8-852):
-Private pools of less than 2 feet in depth must mbee (B)(1) and (B)(2) requirements; otherwise they are prohimited; these pools are excluded from meeting the following (B)(1) requirements: minimum swimming pool inlets, bottom drains, water vacuum cleaning systems and ring buoy with attached rope.
-Child/staff ratio is affected: A minimum of 2 personnel on the center's premises at all times whenever 6 or more children are present.
-In addition to child/staff ratios, there shall be at least one additional person certified in advanced lifesaving and CPR to be present (in a private pool).

Transportation Policy
-Vehicle must be properly maintained; driver must be at least 18 years of age, hold a current Arizona driver's license, and current first aid certificate.
-Child restraints and seat belts required, depending on age/weight of child.
-First aid kit and children's emergency medical care authorization must be in vehicle.
-Additional staff required if children being transported are not yet school age.

Drop-In Child Care
-Licensed facilities may offer drop-in care.

Infant Care Programs
-Supplemental program standards for infants; supplemental equipment required.
-There are centers providing care to "infants only," defined as any child who is 12 months of age or younger, or who is under 18 months and not yet walking.
-There are 8 centers in the state that provide infant care only; and 462 centers which provide infant care services and other services.

Overnight Care Programs
-Special regulations include activity, bed, bathing, toileting, and personal grooming requirements as well as staffing requirements.
-93 centers provide overnight care.

Programs for Children with Disabilities
-Supplemental.
-No mainstreaming required in addition to general program and equipment standards, there are requirements for in-service/training, physical plant modifications, personnel/child ratios, and parent conferences.
-Compliance with ADA in providing services to children: Department has removed classification from license, indicating all providers are required to comply with ADA. Architectural review includes requirements in compliance with ADA.

School Age Care Programs
-Supplemental program standards for school-age children.
-Equipment standards.

Sick Child Care Programs
-Sick children are not allowed under present regulations.

Subsidized Program
-Contact Department of Economic Security (602) 542-4248.

Reporting Child Abuse and Neglect
-Cases of child abuse or neglect should be reported to Child Protective Services (888) 767-2445 [(888) SOS-CHILD] (statewide) and 530-1800 in Maricopa County.

Local Contacts
-Three state licensing offices - Phoenix, Flagstaff and Tucson.

New or Pending Legislation
-None.

ARKANSAS (AR)+

Information
Supplied by: David Griffin, Administrator
DCFS - Child Care Licensing
P.O. Box 1437, Slot 720
Little Rock, AR 72203-1437
PHONE: (501) 682-8590
FAX: (501) 682-8666

Number and Definitions of Regulated Programs

-**1,273** licensed child care centers.
-**662** licensed infant/toddler programs.
-Nursery schools, prekindergartens and religiously affiliated centers are included in the number.

Requirements

-License required when 6 or more children are in care; preapproval inspection required.
-Licenses are open ended; license fee charged; all fees deposited in the Child Care Provider Fund for payment of background checks.
-Fire safety and sanitation inspection required annually; zoning required initially.
-General liability and/or professional liability insurance not required.
-Physical security of the child care facility (such as card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
-Staff/child ratios: infants - 1:6; toddlers - 1:9; 3 year olds - 1:12; 4 year olds - 1:15; 5 year olds - 1:18; schoolage - 1:20; mixed age group - meet ratio for youngest child in group.
-Naptime staff/child ratios: reduce by 50% for centers; no change for infants.
-Group size delineations: none.
-Center must have one person on duty at all times center is in operation who is certified in CPR.

Unannounced Inspection Policy

-Goal is for unannounced inspections three times per year; more often if complaints are received.

Complaint Procedure

-Immediate center closing only required in emergency situations.
-Warning required for items not thought to immediately jeopardize health or safety.

-Length of time center has to come into compliance depends on severity of the non-compliance.
-Once closed, the center is removed from the information systems of resource and referral agencies.
-Complaints registered against a center are responded to.

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement for center director is 21; minimum age requirement for remaining center staff is 18.
-Centers will soon be provided with information regarding ADA policy in staff hiring; the act is referenced in the regulations.

Staff Prescreening
-Medical exam, child abuse, criminal background check, chest x-ray or TB skin test; hiring is dependent upon a clear record or screen; no recent change in TB screening policy.
-Fingerprinting is required for the owner/operator or anyone not a resident of AR for the past 6 years.
-Persons that are applying to own or operate a child care center, those with residence in Arkansas and special volunteers must have a national criminal records check done.
-Crimes that prohibit employment: assault, neglect, battery, sexual offenses, drug offenses and other felonious charges. However, those with offenses five years and older may have their case reviewed on an individual basis.
-Not required - AIDS, drug or alcohol tests and measles and Hib immunizations.
-Written documents required from last 6 years of employment.
-Temporary substitutes must meet staff requirements if they are counted in the staff-to-child ratios.

Staff Training
-Center directors must have a high school diploma plus 4 years experience or a CDA or AA degree with an emphasis in early childhood, or a Bachelor's degree; lead/head teachers, assistant teachers, teacher aids and the dietician and kitchen staff must have a high school diploma or GED.
-10 hours of specific early childhood education from approved trainers.
-No special training required for infant care, care of children with disabilities, sick child care, or drop in care.
-All staff shall receive an orientation on basic health and safety; at least one adult member of the staff who is certified in infant and child CPR must be on site while children are present.

Child Documentation Policy
-Child records must be kept and made available to the Division of Children and Family Services Licensing Staff on request.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children must be immunized, including Hib; children entering care after age 36 months not required to have Hib.

Discipline Policy
-Corporal punishment is not allowed.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of lead, radon or asbestos as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy
-Has been adopted; enforced by Fire Marshal; portions relating to child care centers utilized.

Regulatory Process Subcontract Policy
-AR does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is prohibited in the physical confines of a child care facility.

Swimming Pool Policy
-Requires health department approval; staff must have Red Cross Life Saving certification or Water Safety Instructor.
-Reduced child/staff ratios: 3 year olds - 1:2; 4 year olds - 1:3; and 5 year olds - 1:5; first grade and up - 1:8.

Transportation Policy
-Staff transporting children shall have a current valid driver's license or a commercial dreiver's license; vehicle shall be licensed, insured and maintained in proper working condition and in compliance with AR state laws on transporting children.
-Driver may be counted in staff/child ratio, but shall not be the only adult when more than 12 children over age 3 are transported; for infants and toddlers, a ratio of one adult for 3 children shall be maintained
-Children shall be restrained in an age appropriate, approved restraint while being transported; there shall be a seating space for each child transported; facility shall use an approved child safety seat with proper restraints for transporting each child under age 3 years.

Drop-In Child Care
-"Drop-in" child care is regulated if it doesn't meet an exemption (Pub 001-8/97).

Infant Care Programs

-Additional specific regulations exist in the ares of personnel, program, discipline, nutrition, furniture and equipment, transportation, health and safety.

-637 licensed infant/toddler centers; infant is defined as birth to 18 months.

Overnight Care Programs

-Special regulations for evening and night care regarding sleeping arrangements, staff/child ratio, program, nutrition and health issues exist.

-Number of centers providing overnight care unknown.

Programs for Children with Disabilities

-Division of Developmental Disabilities Services does licensure for DDS sites. If children without disabilities are in care, a dual license is required.

-Centers are provided with information about compliance with ADA.

School Age Care Programs

-Separate regulations for before and after school and summer day camp programs. School Age licenses are issued when applied for. However, providers may care for school age children within a licensed day care center, and mix them with children ages 2 1/2 and up.

Sick Child Care Programs

-Any child who becomes ill and unable to participate in the daily activities must be isolated and supervised. Appropriate action should be taken to meet individual needs of the child. Parents or guardian must be notified and requested to pick up child.

-Additional regulations exist for the sick care component.

Subsidized Programs

-Contact Bobbie Ferguson, DCFS Subsidized Day Care, Box 1437, Slot 626, Little Rock, AR 72203-1437; phone (501) 682-8763.

Reporting Child Abuse and Neglect

-Call 1-800-482-5964.

Local Contacts

-Contact local division of Children and Family Services/Department of Human Services Office; one in every county.

New or Pending Legislation

None.

+ Information not reverified by the state.

CALIFORNIA (CA)

Information Supplied by:

Dave Dodds, Chief
Advocacy and Policy Branch
California Department of Social Services
Community Care Licensing Division
744 P Street, MS 19-50
Sacramento, CA 95814
PHONE: (916) 324-4031
FAX: (916) 323-8352

Number and Definition of Regulated Programs

- **13,051** licensed centers.
- Nursery/preschools are not licensed separately; "child care center" is used generically to license nursery schools, preschools, Montessori schools, Head Start, prekindergartens and religiously affiliated centers, infant centers, school age centers and centers for the mildly ill, all of which are included in this number.

Requirements

- Licenses are mandatory unless exempt by law; preapproval inspections required.
- Licenses are issued on a perpetual basis; annual licensing fees of from $100 to $1,000 based on capacity.
- Fire safety inspection required at time of application for licensure. However, for purposes of a school age child care program operating on a functioning school site, the school fire inspection is accepted by law as sufficient fire clearance.
- General and/or professional liability insurance not required.
- Physical security of the child care facility (such as a card access system) is not addressed by the State; however, there is a sign in/sign out procedure for admission and removal of the child from the center.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
- Staff/child ratios: infants - 1:4; preschool - 1:12; schoolage - 1:14; mixed age groups - based on the ratio required for the youngest child in the group.
- Naptime staff/child ratios: infants - 1:4 while awake and 1:12 while sleeping; preschool 1:12 while awake and 1:24 while sleeping. In both cases the staff must be available at the center to meet the non sleeping requirement.
- Group size delineations: determined by teacher-child ratios and available indoor/outdoor space; no minimum or maximum group size in State regulations.
- One staff member who has pediatric CPR/first aid must be on-site at all times.
- Trained staff members may perform blood glucose testing (using a fingerstick test) for the purposes of monitoring a minor child with diabetes. Legislation

requires that the parent/guardian must consent, the test must be approved by the FDA for over-the-counter sales to the public without prescription and that the provider must follow written instructions from the child's physician or designee.

Unannounced Inspection Policy

-Yes, within 10 days of receipt of a complaint; annual visit; plan of correction visit; all visits other than the prelicensing visit.

Complaint Procedure

-Policies that require immediate closing of a center exist.
-Policies that require only a warning exist.
-Time frames for centers to come into compliance vary depending on the type of deficiency to be corrected. Time frames are developed jointly between the center staff and the Licensing staff.
-Resource and referral agencies notified when a center is closed.
-Complaints registered against centers are responded to.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for working in a center is 18; teacher aides may be less than 18 years old provided that they are either high school graduates, or that they are currently participating in an occupational program conducted by an accredited high school or college; teacher aides must work only under the direct supervision of a teacher.
-Compliance with ADA in staff hiring guarantees equal opportunity and gives civil rights protection to those staff members.

Staff Prescreening

-Staff required to be prescreened by medical exam; fingerprinting required at time of licensure and employment; child abuse clearance required prior to licensure and employment; FBI criminal records background checks are required for all new criminal records clearances.
-Crimes that prohibit employment: child and neglect, kidnapping, sexual offemses, battery, assault, felony offenses and drug offenses.
-TB skin test must be performed not more than one year prior to or seven days after initial presence in the facility; no recent changes in the TB screening policy for child care personnel.
-Not required - AIDS test and drug and alcohol tests.
-There are no guidelines from the Department of Health for Hib and measles immunizations.
-All staff who have contact with children must submit their fingerprints to the California Department of Justice before employment, residence, or initial presence in the facility. Adult non-relative volunteers must also be background check cleared.
-Teacher experiences shall be verified as having been performed satisfactorily at least 3 hours/day for a minimum of 50 days in a six-month period under the supervision of a person who would qualify as a teacher (as per DSS regulations).

Staff Training

-Preservice education and experience required for center directors, teachers; no preservice education and experience requirements for teachers aides, the dietician and kitchen staff.

-No annual in-service training required.

-Special training is required for the care of infants and mildly ill children. No special training is required for the care of children with disabilities or for drop-in care.

-At least one director or teacher at all child care centers must have 15 hours of training in preventive health practices to include pediatric CPR/first aid. A person with pediatric CPR/first aid training must be on site at all times, and must be present when children are off site for facility activities. In addition, all directors and fully qualified teachers at child care centers for mildly ill children are separately required to have pediatric CPR/first aid.

Child Documentation Policy

-Records on each child must be maintained.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children must be immunized.

-Hib immunization is required on or after the age of 1 year. Hepatitis B immunizations are also required.

Discipline Policy

-Corporal punishment is prohibited.

Emergency Medical Consent Policy

-Written consent required, but does not need to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.

-The issue of providing financial assistance for lead inspection and remediation is currently being explored by public and private groups concerned with lead poisoning.

National Life Safety Fire Code Policy

-Has not been adopted; see Title 22, section 101171.

Regulatory Process Subcontract Policy

-CA does not subcontract any or all of the child care center regulatory process to a public or private agency/organization. The Legislature believes that the Department can best administer this complex process and ensure the health and safety of children in care in child care centers.

Smoking Policy

-Smoking is prohibited on the premises of a licensed child care center where care is given to children.

Swimming Pool Policy

-Guidelines for swimming pools include: at least one adult present during any water activities or near any body of water, with a valid water safety certificate on file at the center.

-Child/staff ratio becomes 1:6 during water activities (1:2 for infants); lifeguards or personnel supervising anyone other than center children are not included in the ratio.

-Red Cross lifesaving training not required by staff.

Transportation Policy

-Separate regulations concerning the transportation of children.

Drop-In Child Care

-"Drop-In" child care must meet center licensing requirements, excluding the requirement to check for or document immunizations and TB testing.

-There is currently one "drop-in" center in California.

Infant Care Programs

-Separate regulations for centers which service infants exist.

-There are centers providing care to "infants only," defined as 0-2 years.

-There are 1,283 "infant only" centers in the state.

-Cribs that are defined by the Infant Crib Safety Act as "unsafe" may not be used or on center premises.

-Regulations require that all centers are provided with information on SIDS, distributed by the California Department of Social Services.

Overnight Care Programs

-There are no special regulations for overnight care.

-Centers do provide overnight care, but the exact number is unknown.

Programs for Children with Disabilities

-All current licensing regulations would apply and through the use of waivers and exceptions, alternative requirements would be substituted for existing regulations that would be more appropriate and necessary for the care of children with disabilities.

-Compliance with the ADA in providing services to children prohibits discrimination.

School Age Care Programs

-Separate regulations exist.

-There are 2,721 school age child care programs in the state.

Sick Child Care Programs

-Separate regulations for mildly ill children exist.

-There are 10 child care centers for mildly ill children in the state.

Subsidized Programs

-Contact Maria Balakshin, Director, Child Development Division, State Department of Education, 560 J Street, #220, Sacramento, CA 95814; (916) 322-6233.

Reporting Child Abuse and Neglect

-Complaints of suspected child abuse can be filed in any of the 13 state child care licensing offices, any law enforcement (city or county) and child protective offices located in one of the 58 county social/health/welfare offices.

Local Contacts

-Northern Regional Office
Frances Young, Manager
8745 Folsom Blvd., #130
Sacramento, CA 95826
(916) 229-4500 FAX (916) 229-4508

-Coastal Regional Office
Martha Mills, Manager
801 Traeger Avenue, Suite 105
San Bruno, CA 94066
(650) 266-8860 FAX (650) 266-8877

-Southern Regional Office
Margie Davis, Manager
5962 LaPlace Court, #185
Carlsbad, CA 92008
(760) 929-2121 FAX (760) 929-2133

-Los Angeles Regional Office
Colleen Anderson, Manager
100 Corporate Point, Suite 350
Culver City, CA 90230
(310) 665-1940 FAX (310) 665-1978

New or Pending Legislation

-Effective September 21, 1998, licensees and staff of child care centers and family child care homes may administer inhaled medication to the child in care using an inhaler or nebulizer machine if certain requirements are met: 1) written permission from the parent/legal guardian; 2) caregivers are instructed on how to properly administer the the inhaled medicated to the child by the parent/legal guardian; 3) following specific written instructions from the child's physician (or designee); 4) recording each instance of administering the inhaled medication to the child and sharing that record daily with the parent/guardian.

-After January 1, 2000, any child care provider who obtains or renews a pediatric first aid card must complete a training module on nebulizer care (module will be part of the first aid course).

-Effective Spetember 20, 1998, the California Emergency Medical Services Authority obtained the authority and a funding mechanism to establish a formal approval process for the preventive health practies portion of the 15 hours of health-and-safety training that many child care providers must now complete. Training in preventive health practices must include prevention of infectious diseases (including immunizations) and prevention of childhood injuries. Training may also include: sanitary food handling, child nutrition, emergency preparedness and evaluation, caring for children with special needs and identification and reporting of signs and symptoms of child abuse. Providers who have completed training in preventive health practiced prior to the establishment of the approval process will not have to repeat the training.

COLORADO (CO)

Information
Supplied by: Dana Andrews
Licensing Administrator
Division of Child Care
Department of Human Services
1575 Sherman St.
Denver, CO 80203-1714
PHONE: (303) 866-5958
FAX: (303) 866-4453

Definition and Number of Regulated Programs

- **2,503** [includes 1,177 child care centers, 754 school-age child care centers, and 572 part day preschools]
- Nursery schools, prekindergartens and religiously affiliated centers are included in this number.
- Legally exempt centers providing religious instruction more than 50% of the time children are present are not included in this number.

Requirements

- License required; preapproval inspection required.
- Licenses now are permanent; annual license fee ranges from $14 - $294, depending on number of children in center.
- Separate inspections required every 2 years by the Fire and Health Departments. Building code inspection required at opening and at capacity changes.
- General liability required if centers cares for children paid for by the state; otherwise no general liability or professional liability required.
- Physical security of the child care center is addressed by the State. A sign-in/sign-out sheet or other mechanism for parents and guardians must be maintained daily by the center and must include for each child in care, the date, child's name, time when the child arrived at or left the center, and the parent or guardian's signature or other identifier.
- Facilities must post in plain view: current child care license; most recent licensing, fire department and health department inspections (or a notice as to where these documents may be found); in every room the licensed capacity and staff-child ratio must be posted.

Regulations

- Space requirements per child: indoor - infants: 50 sq. ft.; toddlers: 45 sq. ft.; preschool and school age 30 sq. ft.; outdoor - 75 sq. ft.; a minimum of 1,500 sq. ft. with 150 sq. ft. of shaded area; infant play yard, 400 sq. feet.
- Staff/child ratios: infants - 1:5; toddlers - 1:5; 2 year olds - 1:7; 2 1/2 to 3 year olds - 1:8; 3 year olds - 1:10; 4 year olds - 1:12; five year olds and up - 1:15.
- Group size delineations: 6 weeks - 18 months (maximum group size - 10); 12-36

months (maximum group size - 10); 24-36 months (maximum group size - 14); 2 1/2 - 3 years (maximum group size - 16); 3-4 year (maximum group size - 20); 4-5 years (maximum group size - 24); 5 year and older (maximum group size - 30); and mixed age group 2 1/2 - 6 years (maximum group size - 20). In other age combinations, the maximum group size for the youngest child must be utilized if more than 20% of the group is composed of younger children.
-Room sizes: birth - 18 months - 10 maximum; 12-36 or 18-24 months - 20 maximum; 26-36 or 30-36 months - 28 maximum. Preschool-age and school-age groups of children must be separated into age-appropriate activities; groups are not required to be separated from each other by permanent or portable dividers or walls. Toddler-age groups of children must be separated from each other by permanent or portable dividers or other methods as approved by the Department.
-Naptime staff/child ratios: same as above; no change.
-There must be someone at the facility at all times who has current certification in CPR and first aid; one person at all times in each infant room and one person at all times in the toddler nursery area.

Unannounced Inspection Policy
-All renewal, supervisory and complaint visits are unannounced.

Complaint Procedure
-No written policies that require immediate closing of a center. However, the law allows suspension of license if conditions endanger children's safety and well-being.
-No warning policy; all violations must be corrected.
-Usual time frame for center to come into compliance is immediate for serious violations or within 30 days.
-Currently working on a new process for notifying resource and referral agencies when a center is closed.
-Response process when a complaint is registered against a center: serious (0-5 working days); moderate (0-15 working days); mild (0-20 working days); and very mild (next reasonable visit).

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement for working in a center is 16; 16-18 year olds required to have direct supervision of a group leader; must be 18 to work with infants.
-Compliance with ADA in staff hiring involves centers being told they cannot refuse to hire a staff with a disability but must evaluate on an individual basis.

Staff Prescreening
-Staff required to be prescreened by fingerprinting, child abuse clearance, criminal records background check, Mantoux TB test, and medical examination; chest x-ray required only if sensitive to TB test (Tine test no longer acceptable).
-If an individual has not lived in CO for at least 2 years, a FBI criminal background check is done.
-Crimes that prohibit employment: sexual offenses, murder, kidnapping; crimes that may result in denial: assault, robbery and drug offenses.

-Staff required to have immunizations required by their personal physician, which could include Hib and measles.
-Not required - AIDS test and drug and alcohol tests.
-Conditional hiring is allowed prior to results of prescreening.
-3 written references required to verify previous employment and position qualifications for staff less than 18 years of age; also character and suitability for working with children.
-Substitutes must meet the qualifications of the position of the person for whom they are substituting; must also be fingerprinted and have TB test.

Staff Training
-Preservice education and experience required for center directors, lead/head teachers, assistant teachers, teacher aides (infant/toddler only), and infant nursery supervisor - variety of combined education and experience options available; no requirements for the dietician and kitchen staff.
-Infant and toddler aides must have completed 8 hours of orientation prior to assignment; infant group leaders must have completed 8 hours of orientation prior to work.
-Annual 6-hour in-service training required for all staff in child care center.
-Special training required for infant care and may be required for individual situations for sick child care--handled on an appeal basis; no special training required for the care of children with special needs or for drop in care.
-CPR/first aid is a separate preservice/in-service training requirement.

Child Documentation Policy
-For child enrollment, must have child health history and immunizations, social history, emergency authorizations, phone numbers of emergency contact people, medication authorizations, and authorizations for special activities provided by the center.
-No provision for screening children for blood lead levels prior to entrance into a licensed child care program.

Child Immunization Policy
-Immunization must be on file the first day of enrollment or child cannot be admitted; required to have Hib immunization.

Discipline Policy
-Corporal punishment is prohibited.
-Center must have written discipline policy which is posted or is available to parents and staff.

Emergency Medical Consent Policy
-Parents must sign authorization of emergency medical care, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy

-Has not been adopted by each local fire jurisdiction responsible for inspecting the facility.

Regulatory Process Subcontracting Policy

-Two county departments (Denver and Jefferson counties) inspect child care centers, part day preschools, and school age child care centers.

Smoking Policy

-Smoking is prohibited during business hours in all areas where child care is provided and when transporting children.

Swimming Pool Policy

-Guidelines state that when a swimming pool is provided, it shall meet the requirements of the Colorado Department of Health. An outdoor pool shall have protective fencing of at least 5 feet with self-closing gates which are locked when pool is not in use; winter coverage, which shall exclude plastic or inflatable-type domes; and a nonskid surface area of at least 5 feet adjoining pool sides. An indoor pool shall be located in a lockable room separated from rooms used for child care or shall be fenced as required for outdoor pools.

-Use of permanent wading pools prohibited. Only portable wading pools under close supervision shall be used. Water temp. of not less than 60 degrees F. shall be maintained. Pools shall be emptied after use by each group of children or at least daily and placed in storage when not in use.

-Child/staff ratio not affected. Required ratio maintained.

-A person with a current American Red Cross basic lifeguarding or equivalent needs to be on-site for each 30 children in the water. Their qualifications are to be documented.

Transportation Policy

-Children must be in approved child restraint system to recommended age and must have written permission to transport.

-Driver of vehicle must have appropriate drivers' license for the size of the vehicle and vehicle must meet safety standards; and must be trained in first aid and CPR.

Drop-In Child Care

-"Drop-in" child care regulations exist, and licensing is required; centers need to appeal certain regulations that may not comply with "Rules Regulating Child Care Centers".

Infant Care Programs

-Additional staff requirements for centers which service infants, specifically for the infant nursery supervisor.

-There are centers providing care to "infants only," defined as 6 weeks to 18 months.

-There are approximately 20 "infant only" or infant/toddler centers for teenage parents, located in or associated with high schools.

Overnight Care Programs

-Special regulations involve: following provisions of care of children required in the Minimum Rules and Regulations for Child Care Centers; a nutritious evening meal shall be served to children, and a bedtime snack shall be offered; type of activities provided in morning and afternoon programs shall be available to children during their waking hours. Quiet activities shall be planned immediately preceding the children's bedtime; children shall be bathed as necessary and changed into comfortable night clothing for sleeping; separate beds, cribs, or cots with sheets and clean, washable covering or 2 in. sleeping pads or mattresses shall be provided for each child. If pads or mattresses are used, the room temperature at floor level shall be at 68 to 72 degrees. Pads and mattresses shall be fitted with clean, washable, removable covering. Permission of parents or guardians shall be obtained for each child who uses a sleeping pad or mattress placed in the floor; all staff members on night duty shall be awake and in the immediate vicinity of sleeping children; child/staff ratio: 1 adult - 6 or fewer children, 2 adults - 7 to 12 children, and one adult for each additional 12 children or portion thereof.

-Centers do provide overnight care, but state has no way to track this at this time with the computer system.

Programs for Children with Disabilities

-No special regulations for the care of children with disabilities; to comply with ADA, centers will care for children with for them.

-Compliance with ADA in providing services to children involves centers being told they cannot exclude children with disabilities but must evaluate on an individual basis.

School Age Programs

-A separate set of regulations, "Rules Regulating School-Age Child Care Centers", exists.

Sick Child Care Programs

-At this time regulations do not allow mildly ill children in care.

-Centers must appeal to care for sick children.

Subsidized Programs

-Contact CO DSS, Division of Child Care, Child Care Program Unit: (303) 866-5958.

Reporting Child Abuse and Neglect

-Contact each county Department of Social Services.

-All staff are mandated by law to report suspected child abuse.

-All staff mandated by rule to sign a statement that they know and are familiar with the definition of child abuse by Colorado law and understand their personal responsibility to report.

Local Contacts

-12 staff are outstationed around the state with local business numbers; other child care licensing staff are located at the state office.

New or Pending Legislation

- -Facility must post the following documents in plain view to those entering the child care facility or agency:
  - -the current child care license
  - -most recent licensing, fire department, and health department inspection reports, or a notice as to where the parent or legal guardian of a child or their designee may review the reports at the facility.
- -Facility must post in every room of the child care center, the license capacity of the room and the staff-child ratio required by regulation to be maintained for the age of children care for in that room.
- -During hours of operation, facility must allow access to parents and guardians having legal custody of a child in care to those areas of the facility that are licensed for child care.
- -Legislative declaration concerning the protection afforded by regulations:
  - -General Assembly finds that regulation and licensing of child care facilities contribute to a safe and healthy environment for children; it affords benefits to children, their families, their communities, and the larger society. The general assembly acknowledges that there is a need to balance accessibility and quality of care when regulating child care facilities and therefore is the intent of the general assembly that those who regulate and those who are regulated work together to meet the needs of children, their families and the child care industry.
  - -General Assembly also recognizes the financial demands with which the Department of Human Services is faced in its attempt to ensure a safe and sanitary environment for those children in the State of Colorado who are in child care facilities; therefore, it is the intent of the general assembly that the limited resources available be focused primarily on those child care facilities that have demonstrated that children in their care may be at higher risk pursuant to section 26-6-107.

CONNECTICUT (CT)

Information
Supplied by: Devon Conover, Public Health Services Manager
Department of Public Health
410 Capitol Avenue - MS #12DAC
P.O. Box 340308
Hartford, CT 06134-0308
PHONE: (860) 509-8045
(800) 282-6063
FAX: (860) 509-7541

Number and Definition of Regulated Programs

-**1,638** licensed centers (13 or more children).
-The number of licensed centers includes nursery schools, preschools, prekindergartens, and religiously affiliated centers.

Requirements

-License required; preapproval inspection required.
-Licenses are renewed every 2 years; license fee is $200.
-Fire safety inspection required annually; building code and zoning inspection required initially; health inspection required every 2 years.
-No general or professional liability insurance required.
-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft. (usable footage). Programs licensed prior to January 1, 1986, maintain the requirement for 30 sq. ft. per child.
-Staff/child ratios: infants - 1:4; toddlers - 1:4; preschool (over age 3) - 1:10; schoolage - 1:10; mixed age groups - 1:4.
-Naptime staff/child ratios: same as above, no change.
-Group size delineation: under 3 years of age (group size - 8) and over 3 years of age (group size - 20).
-One staff member trained in first aid must be on the premises at all times.
-Program authorized to administer specified non-prescription topical medication with parent's signature; a doctor's signature not be required for the administration of these non-prescription topical medications. Regulations exist permitting the administration of other medications and for monitoring juvenile diabetes with fingerstick blood glucose tests.

Unannounced Inspection Policy

-All inspections are unannounced, except for the initial licensing inspection.

Complaint Procedure

- Policies that require immediate closing of a center are based on individual cases.
- Length of time center has to come into compliance is not specified in law.
- Resource and referral agencies notified when a center is closed.
- All complaints registered against a center are responded to.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Minimum age for center director and lead/head teacher is 20.
- Requirements for temporary substitutes are the same as those for regular staff.
- State complies with the ADA in staff hiring.

Staff Prescreening

- Medical examination; criminal records background check; TB skin test or chest x-ray required; no recent changes in TB screening process.
- Criminal records are assessed on an individual basis; regulations are pending and procedures are being developed.
- Currently there are no crimes that prohibit employment; regulations are pending and procedure are being developed.
- Not required - fingerprinting, child abuse clearance, AIDS test, and Hib, and drug and alcohol tests or measles immunization.
- Conditional hiring prior to results of prescreening allowed.
- Staff and child need medical statements that document the presence or absence of any medical or emotional illness or disorder that would currently pose a risk to children in care or would currently interfere with effective functioning as an employee in a child care center.

Staff Training

- Preservice education and specific experience required for center directors and lead/head teachers; no requirements for assistant teachers, teacher aides, or the kitchen staff.
- Dietician must be R.D. (only as a consultant if meals are served); other required consultants: early childhood education, health, dental and social service.
- Annual in-service training required - 1% of total hours worked.
- Training required for staff who administer medication to children.
- No special training required for infant care, care of children with disabilities.

Child Documentation Policy

- The operator of a center must be responsible for maintaining records on each enrolled child which must be kept current and be available at the center.
- Requirement for physical examination for children waived for religious beliefs.
- No provision for screening children for blood lead level prior to acceptance into a child care program.

Child Immunization Policy
-State statutes required all enrolled children to be immunized; including the Hib immunization; also Hepatitis B for children born after December 31, 1993; except for religious exemptions or medical contra-indications.

Discipline Policy
-Corporal punishment prohibited.
-Policy addressing abuse/neglect and mandated reporting required.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.
-Advanced practice registered nurse or physician assistant may sign a medical statement for an employee or child of center.

Environmental Policy
-Facilities are required to test for lead and radon as a condition of licensure; also for asbestos if an obvious hazard exists with correction required for a hazard. Records are kept on file.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-State uses the complete code.

Regulatory Process Subcontracting Policy
-CT does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is prohibited except in designated smoking areas, provided these areas are separate, properly ventilated, and enclosed away from any children present at the facility. Signs shall be posted indicating smoking is prohibited except in designated areas.

Swimming Pool Policy
-Guidelines follow the Public Health Code.
-Child/staff ratio not affected.
-PHC does not cover issue of staff having Red Cross lifesaving training.

Transportation Policy
-Regulations address the transportation of children.

Drop-In Child Care
-Separate regulations for "drop-in" child care do not exist; "drop-in" programs may be deemed exempt by statute.

Infant Care Programs
-Separate regulations for centers which service infants.
-There are centers which provide care to "infants only" defined age is under 3.
-There are 669 centers that have an "under 3" endorsement.

Overnight Care Programs
-Special regulations for overnight care.
-9 centers provide night care.

Programs for Children with Disabilities
-No separate regulations.
-State complies with the ADA in providing services to children.

School Age Care Programs
-Programs must obtain a school age endorsement in addition to complying with the regulations for child day care programs.

Sick Child Care Programs
-No separate regulations; and are not allowed in child care center.

Subsidized Programs
-Contact Peter Palermino, Dept. of Social Services, phone (860) 424-5598.

Reporting Child Abuse and Neglect
-Contact DCF: (800) 842-2288.

Local Contacts
-Program is located in Hartford; the toll free number is (800) 282-6063 (in state); otherwise (860) 509-8045.

New or Pending Legislation
-Draft regulations are pending on national criminal conviction record checks.
-Drafting regulations re: civil penalties.

DELAWARE (DE)

Information
Supplied by: Janet I. Carter, Administrator
DSCYF, Office of Child Care Licensing
Youth and Family Center
1825 Faulkland Road
Wilmington, DE 19806
PHONE: (302) 892-5800
FAX: (302) 633-5112

Number and Definition of Regulated Programs

- **267** licensed centers.
- Nursery schools, prekindergartens and religiously affiliated programs which operate more than 4 hours per day are included; those which operate less than 4 hours and choose to be licensed are also included.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed annually; no license fee.
- Fire safety and Public Health inspections required annually; building code inspection required once, prior to opening.
- General liability and fire insurance required; professional liability insurance not required.
- Physical security of the child care center - no requirements; release of children procedures required.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 50 sq. ft. per child for the maximum number of children who will use the playground at any one time; play area must be large enough to accommodate at least 1/4 of the licensed capacity at any time.
- Staff/child ratios: infants - 1:4; 12 to 24 months - 1:7; 2 to 3 years - 1:10; 3 to 4 years - 1:12; 4 to 5 years - 1:15; 5 years and up - 1:25; mixed age groups - for children under 24 months of age, the ratio shall be that for the age of the youngest child in the group; for mixed age groups with children over 24 months of age, the ratio shall be that required for the age group with the largest number of children present in the group.
  - for field trips staff/child ratios change to: 0-23 months (1:2); 2 years (1:6); 3 years (1:8); 4 years (1:9); 5 years (1:11); and 6 years and above (1:15).
- Naptime child/staff ratios: centers are allowed to decrease staff by one-half if all children are asleep.
- Group size delineations: no requirements for group size.
- A staff person certified in first aid and a staff person certified in CPR for infants and children must be present at the center at all times during the hours of operation.

-Office of Child Care Licensing requires centers to distribute a notice to parents about their rights to inspect licensing records.

Unannounced Inspection Policy

-Unannounced inspections occur primarily when a complaint is received or when a facility shows a pattern/history of non-compliance.

Complaint Procedure

-An array of enforcement options are used to ensure safety of children during complaint investigation including removal of alleged perpetrator(s) or of offending individuals from center, if necessary suspension of licenses is applied pending completion of investigation.

-Policies for closings and warnings depend on the nature of the complaint.

-Length of time center has to come into compliance depends on the nature of the noncompliance.

-When a center is closed, resource and referral agencies are notified by telephone in order to establish a procedure for helping parents to locate alternative child care arrangements.

-When a complaint is registered against a center, the complaint must be responded to within 10 working days followed by a written report within 30 working days.

Staff Qualifications

-No state recommended salary schedule for center staff.

-Minimum age requirement for center staff is 18 years; an assistant caregiver must be at least 16 years of age and work under the observation and supervision of a caregiver or Program Director.

-Compliance with ADA in staff hiring is unmeasurable at this point; ADA training and technical assistance are provided.

-Service letters must be obtained from past employers.

Staff Prescreening

-Center staff required to be prescreened by TB skin test, chest x-ray (if test is positive to TB) and medical examination; criminal records background check is required of new employees; require child abuse registry checks for all employees; no recent change in TB screening policy.

-All criminal records checks and child abuse and neglect checks go outside of state lines.

-Crimes that prohibit employment: sexual offenses, crimes involving physical violence, drug crimes and crimes related child abuse or neglect.

-Not required - AIDS test, Hib and measles immunizations, drug and alcohol tests.

-At least 2 character references are required.

-A center shall have substitute staff, including documentation of qualifications; if a substitute is used for 2 months continuously or longer, person shall be fully qualified for the position.

Staff Training

-Preservice education and/or experience required for center program directors, caregivers, assistant caregivers, and kitchen staff.

-15 hours annual in-service training required for center staff.

-Special additional training required for staff person supervising care of children with disabilities; special training for sick child care also required; no special training required for infant or drop in care.

Child Documentation Policy

-The center shall make every effort to ensure that admission procedures involve a meeting with the parents(s) to secure necessary information.
-Blood lead level screening required for all one year olds and newly enrolled children.

Child Immunization Policy

-Enrolled children are required to be up to date with immunizations - including Hib immunization - prior to entrance and on a regular basis after.

Discipline Policy

-Corporal punishment is not permitted; only positive age-appropriate methods of discipline and guidance of children which encourage self-control, self-direction, self-esteem and cooperation may be used.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Testing for the presence of lead is required as a condition of licensure, but not asbestos or radon; results are kept on file.
-There is no state financial assistance for the inspection or remediation in child care centers for radon, lead or asbestos.

National Life Safety Fire Code

-The entire code is used; throughout the code day care centers are mentioned and the Fire Marshal applies to code as necessary.

Regulatory Process Subcontracting Policy

-DE does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; DE feels strongly that the regulatory function is the state's responsibility and the appropriate entity to carry out the function which falls within the policy powers of the state.

Smoking Policy

-Smoking is prohibited in areas used by children and in food preparation areas.

Swimming Pool Policy

-Guidelines for swimming pools not specified; public health standards for public pools must be met.
-Child/staff ratio not affected.
-Staff must be certified for water safety or have senior lifesaving certificate; staff also required to have Red Cross lifesaving training.

Transportation Policy

-Specific regulations concerning the transportation of children are included in "Requirements for Day Care Centers."

-Appropriate liability insurance required.

Drop-In Child Care
-Separate regulations for "drop-in" child care are included in "Requirements for Day Care Centers."

Infant Care Programs
-There are specific requirements which pertain to infants, including age-appropriate activities, feeding, sleeping, diaper changing, and more.
-No centers provide care to "infants only."

Overnight Care Programs
-Separate regulations for night care included in "Requirements for Day Care Centers."
-No centers provide overnight care.

Programs for Children with Disabilities
-Separate regulations, "Specialized Day Care" about providing care for children with disabilities; mainstreaming is permitted and encouraged when possible.
-State complies with ADA in providing services to children.

School Age Care Programs
-Separate regulations for before and after school programs included in "Requirements for Day Care Centers."

Sick Child Care Programs
-Separate set of regulations for caring for sick children, "Day Care Programs for Sick Children."

Subsidized Programs
-Contact Norvella J. Brown, DES, DE State Hospital, 1901 N. DuPont Highway, Lewis Building, New Castle, DE 19720; (302) 577-4450.

Reporting Child Abuse and Neglect
-Call (800) 292-9582.

Local Contacts
-One office in Wilmington serving New Castle County and one office in Dover serving Kent and Sussex County.

New or Pending Legislation
-None.

DISTRICT OF COLUMBIA (DC)

Information
Supplied by: Ellen M. Yung-Fatah, RN, MPH, CPM
Program Manager
Department of Health
Licensing Regulation Administration
Human Services Facility Division
614 H Street, NW, 10th Floor
Washington, DC 20001
PHONE: (202) 727-7226
FAX: (202) 727-7304

Number and Definition of Regulated Programs

-**354** licensed centers.
-Nursery schools not regulated separately; prekindergartens and religiously affiliated centers are included in this number.

Requirements

-License required; preapproval inspection required.
-License renewed annually; fee required.
-Fire safety inspections required annually; building code and lead inspections required initially.
-General and professional liability insurance not required.
-Physical security of the child care facility (such as a card access system) is not addressed by DC.

Regulations

-Space requirements per child: indoor - 45 sq. ft. for children under age two, 35 sq. ft. for others; outdoor - 60 sq. ft.
-Group size and child-adult ratio: In programs where children are grouped according to age the child/adult ratio must be as follows:

2 yrs.- 2 yrs. 6 mos. = 4:1, Group Size - 8
2 yrs. 6 mos.- 3 yrs. = 8:1, Group Size - 16
4 yrs. = 10:1, Group Size - 20
5 yrs. = 15:1, Group Size - 25
6 yrs. - 14 yrs. = 15:1, Group Size - 30

When children of different ages are place in one group, the ratio shall be adjusted to protect the welfare of the younger children.
-Naptime staff/child ratios: same as above, unchanged.

Unannounced Inspection Policy

-Renewal inspections and complaint investigations are unannounced.

Complaint Procedure

-Unlicensed activities and case-by-case determinations require immediate closing of day care centers.
-For violations that are not serious in nature or magnitude where there is no eminent danger to the health, safety or welfare of the infants or children, warnings will be issued; centers will be given from 24 hours to 30 days to come into compliance.
-No formal procedure for notifying resource and referral agencies when a center is closed; listings of licensed centers are issued on a monthly basis.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for all staff is 18 years.

Staff Prescreening

-Medical examination is required with the results of TB skin testing, chest x-ray when applicable; no recent changes in TB prescreening policy.
-Not required - fingerprinting, child abuse clearance, AIDS, or drug and alcohol tests.
-Crimes that prohibit employment: no information available.
-Conditional hiring not allowed prior to results of prescreening.
-Three written references from non related persons is required.
-Substitutes are required to have an annual physical.

Staff Training

-Preservice educational and/or experience required for center directors, head/lead teachers, assistant teachers, aides, dieticians and kitchen staff, and school bus drivers.
-In-service training required as needed.
-No special training required for infant care, care of children with disabilities, sick child care or drop in care.
-Preservice requirement for standard first aid.

Child Documentation Policy

-Center must have a file for each enrolled child: social history, current health certificate, registration, authorization for medical treatment, emergency contact persons, daily attendance.
-Student Health Care Act of 1985 requires students attending public or private schools in DC to be tested for and furnish a certificate of testing for lead poisoning, requires mandatory reporting of lead testing result, and requires collection and study of lead data was amended has been amended to include children under six years of age in licensed day care centers, Head Start, pre-kindergartens and kindergartens; for further information, call (202) 727-9850, Ella Witherspoon.

Child Immunization Policy

-All enrolled children must be immunized.

Discipline Policy

-Corporal punishment is not allowed.

Emergency Medical Consent Policy

-The parent shall submit to the director on an approved form the authorization for emergency medical treatment for the infant or child; forms do not have to be notarized.

Environmental Policy

-Facilities are required to be tested for lead as a condition of licensure; not for radon or asbestos.

-There is no state financial assistance for the inspection and remediation in child care facilities for lead, radon or asbestos.

National Life Safety Fire Code Policy

-Contact DC Fire Department, (202) 727-1614.

Regulatory Process Subcontracting Policy

-DC does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-No policy regarding smoking.

Swimming Pool Policy

-No information available.

Transportation Policy

-Driver must be properly licensed; also specified vehicle requirements.

Drop-In Child Care

-No separate regulations for "drop-in" child care exist.

Infant Care Programs

-No separate regulations.

-Has "infant only" centers; no information on how many.

Overnight Care Programs

-No information available.

Programs for Children with Disabilities

-No separate regulations; program statement of center must address this; in compliance with ADA.

School Age Care Programs

-No separate regulations.

Sick Child Care Programs

-Not regulated; day care regulations do not permit care of "sick" children.

Subsidized Programs

-Contact DHS, 717 14th Street, NW, Washington, DC 20005; phone (202) 727-0284.

Child Abuse and Neglect

-Abuse: Metropolitan Police Department, (202) 576-6762; Neglect: DHS, (202) 727-0995.

Local Contacts

-DOH, (202) 727-7226.

New or Pending Legislation

-Pending legislation regarding the following: parents are permitted access to children at all times; staff required to have on-going continual education; and other changes in requirements.

-DOH is working with DHS, Office of Early Childhood Development, to revise the current child care regulations to include standards for infant care, sick child care, and school-age care, children with special needs, care of children in non-traditional hours and settings (conventions, drop-in).

FLORIDA (FL)

Information Supplied by:	Larry Pintacuda, Chief Child Care Services Department of Children and Families Family Safety & Preservation Program 1317 Winewood Blvd., Bldg. 7, Rm. 228 Tallahassee, FL 32399-0700 PHONE: (850) 488-4900 FAX: (850) 488-9584

Number and Definition of Regulated Programs

-**6,052** licensed centers.

-Number reflects county licensed and state licensed facilities; those programs not requiring licensure such as those exempt in public and non-public schools or religiously exempt not included.

Requirements

-License required; preapproval inspection required.

-Licenses are renewed annually; Licensing fees: $25 up to 25 children, $1 per additional child to a maximum of $100 for 100 or more children; fees are deposited into a state trust fund for Child Care Services.

-Fire safety inspection required annually.

-No requirement for general or professional liability insurance.

-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft; outdoor - 45 sq. ft. (does not apply in calculating square footage for children under 1 year of age.

-Staff/child ratios: infants to 1 year - 1:4; 1 - 2 years - 1:6; 2 - 3 years - 1:11; 3 - 4 years - 1:15; 4 - 5 years - 1:20; school age - 1:25; in groups of mixed ranges where infants under 1 year are included, 1 staff member for not more than 4 children of any age group. In groups of mixed aged ranges, where children 1 year of age but under 2 years of age are included, 1 staff shall be responsible for not more than 6 children of any age group. When children 2 years of age or older are in care, the staff/child ratio shall be based on the age group with the largest number of children within the group.

-Naptime staff/child ratios: same as above; however, supervision means sufficient staff in close proximity, within sight and hearing of all children. All other staff to meet the required staff/child ratio shall be within the building on the same floor and be readily accessible and available to be summoned to ensure the safety of the children.

-Group size delineations: none.

-At least one staff person with a valid certificate of course completion for first aid training and infant and child CPR procedures must be present at all times that children are in the care of the facility, both on-site and on field trips.

Unannounced Inspection Policy

-Two of three inspections during the licensure year are unannounced; announced visit is usually for the purpose of reviewing records, interviewing appointments, or license renewal.

Complaint Procedure

-The state or local licensing agency may suspend or revoke a license or impose an administrative fine not to exceed $100 per violation, per day, for any violation of regulations, depending upon severity and previous violations. However, where a violation does or could cause death or serious harm, an administrative fine not to exceed $500 per day per violation may be imposed.

-How long a center has to come into compliance depends upon the severity.

-Resource and referral agencies notified of closings via Child Care Licensing Data Reports.

-When a complaint is lodged against a center, the complaint is investigated by a Children and Families Licensing Counselor, or a Protective Services Investigator, if appropriate, and the center is notified in writing.

Staff Qualifications

-No state recommended salary schedule for center staff.

-No person under the age of 21 can operate a child care facility and no person under the age of 16 can be employed at such a facility unless such person is under direct supervision.

-The Florida Children's Forum provides technical assistance to child care programs and staff regarding ADA requirements. They may be reached at (800) 423-6786 in Florida or (904) 681-7002.

Staff Prescreening

-Fingerprinting, TB skin test, criminal records background check required; rescreening every five years.

-All criminal records checks and child abuse and neglect checks go outside of state lines. (FBI fingerprint check is required.)

-Crimes that prohibit employment: child/adult abuse and neglect, manslaughter or murder, assault, battery, kidnapping, sexual offenses, arson, robbery, drug charges, and other felonious charges.

-Upon hire each employee must provide documentation of a TB test administered within the past two years. If results are positive, the employee must provide written medical authorization to work in the child care facility. Child care personnel must be tested for TB at least every two years. If results are positive, employee must provide written medical authorization to work in a child care facility.

-Chest X-Ray, AIDS, Hib and measles immunizations, and drug and alcohol test not required.

-Employment history required.

-Conditional hiring prior to results of prescreening allowed for probationary period.
-Substitutes must meet the requirements of the position they are filling.

Staff Training

-All child care personnel must take an approved 30 clock hour introductory course in child care; otherwise no specific preservice education and/or experience requirements for directors, lead/head teachers, assistant teachers, or aides
-Child Development Associate (CDA) credential or approved equivalency required for personnel on a ratio of one CDA per 20 children. Programs which operate less than 8 hours per week are not required to meet credentialling, regardless of number of children.
-Child care center staff required to participate in 8 hours of in-service training annually.
-No special training required for infant care, sick child care or drop in care; however, the child care operator is required to take basic training in serving children with disabilities within 5 years of employment, either as a part of the introductory training or the annual 8 hours of in-service training..

Child Documentation Policy

-Enrollment form required.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care facility.

Child Immunization Policy

-Florida immunization and health certificate required within 30 days of enrollment, unless child has a religious exemption or temporary medical exemption signed by a licensed physician; emergency information, periodic health examinations and immunizations (including HIB), and attendance records required.

Discipline Policy

-No form of corporal punishment may be used.
-Children shall not be subjected to discipline which is severe, humiliating or frightening.
-Discipline shall not be associated with food, rest or toileting.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of lead, asbestos or radon as a condition of licensure, unless a problem is noted.
-There is no state financial assistance for the inspection and remediation of lead, asbestos or radon in child care facilities.

National Life Safety Fire Code Policy

-Has been adopted; the state Fire Marshall has adopted Section 101 of the National Fire Protection Association (NFPA) Life Safety Code, 1985, for application in child care facilities.

Regulatory Process Subcontracting Policy

-FL does not subcontract any or all of the child care center regulatory process to a public or private agency/organization. County governments can opt to license facilities within their respective counties if they adopt rules equal to or more restrictive than those of the state.

Smoking Policy

-Smoking is prohibited in child care centers.

Swimming Pool Policy

-If a child care facility uses a swimming pool which exceeds 3 feet in depth or uses beach or lake areas for water activities, the child care facility must provide one person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty or present when any children are in the swimming area.

-Child/staff ratio affected: Additional staff person on premises at all times; also applies to center sponsored field trips.

-Staff not required to have Red Cross lifesaving training. Provider of training as required above not specified by statute or administrative code.

Transportation Policy

-Requirements for child restraints or seat belts in vehicles used by child care facilities to transport children; requirements for mechanical inspections of the vehicles, insurance, driver health exam, and limitations on the number of children in the vehicles. A Commercial Driver's License (CDL) required for the transportation of children to or from center or any center-sponsored activities, when the vehicle utilized is designed to carry more than 16 persons including the driver.

Drop-In Child Care

-Florida "drop-in" child care is defined as child care provided occasionally in a child care facility in a shopping mall or business establishment where a child is in care for no more than a 4-hour period and the parent remains on the premises of the shopping mall or business establishment at all times. Drop-in child care arrangements shall meet all requirements for a child care facility unless specifically exempted. Exemptions include: outdoor play space and equipment are not required, some type of communications system (such as a pager or beeper) be provided to a parent whose child is in drop-in child care to ensure the immediate return of the parent to the child if necessary, pre-admission and periodic health examinations and medically signed records of immunizations are not required. Rather, parents will be required to attest to the child's health condition and the type and current status of the child's immunizations.

Infant Care Programs

-No separate infant regulations except for diapering and outdoor play area requirements.

-Specific data not available for center care for "infants only."

Overnight Care Programs

-Hours of care: Evening Child Care means child care provided during the evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m. Child Care standards apply to evening child care with the following exceptions: outdoor play space is not required. CDA or credentialed staff is not required.

-Night time care is less than 24 hours.

-There are 225 centers which provide nighttime care.

Programs for Children with Disabilities

-Mainstreaming not required; but supported.

-For ADA compliance in providing services to children, see Staff Qualifications.

School Age Care Programs

-No special regulations, however, minor revisions to the existing regulations are anticipated based on recent legislation, workshops and public hearings.

Sick Child Care Programs

-Mildly ill child care program not regulated by DCF Child Care Licensure.

Subsidized Programs

-Contact FL Department of Children and Families, Family Safety & Preservation Program, 1317 Winewood Blvd., Bldg. 7, Rm. 228, Tallahassee, FL 32399-0700; (850) 488-4900.

Reporting Child Abuse and Neglect

-"Child Abuse Hotline": Call (800) 962-2873 or (850) 487-4332.

Local Contacts

-There are 15 Children & Families District Offices and 10 local licensing agencies.

New or Pending Legislation

-New legislation: Transfer of Ownership-- one week prior to the transfer of ownership of a child care facility, the transferor shall notify the parents or caretaker of each child of the impending transfer.; "Drop-In" Child Care-- shall meet all requirements for a child care facility unless specifically exempted (exemptions: outdoor play space/equipment not required; pre-admission and periodic health examinations, medically signed records of immunizations are not required, but parent must attest to the health status of the child). A communications system must be in place to ensure the immediate return of a parent to the facility, if necessary.; Operators of transient establishments, e.g., hotels and time shares, which provide child care services solely for the guests of their establishment or resort,are excluded from the definition of a child care facility, provided that all child care personnel of the establishment are screened as all other child care personnel regulated by the state and local licensing agencies.

GEORGIA (GA)

Information
Supplied by: Marsha Gates
Department of Human Resources
Child Care Licensing Section
2 Peachtree St., NW, Suite 32-473
Atlanta, GA 30303-3167
PHONE: (404) 657-5562
FAX: (404) 657-8936

Number and Definition of Regulated Programs

-**1,244** licensed centers(* **775**).

-Nursery schools and prekindergartens are not included in this number; religiously affiliated centers are; programs operated by state entities are exempt, as well as 7 hour summer day camps for school age children.

-(*) Some of licensed child care centers are now under the supervision of the Office of School Readiness (OSR). OSR regulates all child care programs who receive State lottery funds for 4 year old programs; not all 4 year old programs are licensed; e.g. programs located in public schools (approximately 775); for information on OSR, contact Marsha Moore, 10 Park Place, Suite 200 Atlanta, GA 30303 phone 404-651-741.

Requirements

-License required; preapproval inspection required.

-Licenses are renewed annually; no license fee.

-Building code inspection and sewage, water and fire inspections required once (upon opening); subsequent fire safety inspection requirements vary from county to county.

-No general liability or professional liability insurance required.

-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 100 sq. ft.

-Staff/child ratios: infants - 1:6; walking 1 year olds - 1:8; 2 year olds - 1:10; 3 year olds - 1:15; 4 year olds - 1:18; 5 year olds - 1:20; schoolage - 1:25; mixed age groups - age of youngest child if 20% or more in group.

-Naptime staff/child ratios: for children 3+ years old, staff/child ratio may be doubled provided one staff is in each room providing direct supervision of children and all required staff are in the building available for emergency evacuation.

-Group size delineations: infants less than 1 year or 18 months and not walking (group size - 12); 1 year old and walking (group size - 16); 2 year olds (group size - 20; 3 year olds (group size 30); 4 year olds (group size - 36); 5 year olds (group size - 40); and 6 years and up (group size - 50).

-50% of staff required to have current first aid and CPR training.

Unannounced Inspection Policy

-All inspections are unannounced.

Complaint Procedure

-All complaints investigated; abuse complaints done jointly with protective services staff.

-Center with good history not cited previously for violation related to complaint would be asked to submit plan of correction.

-Center usually has no longer than 30 days to come into compliance.

-No routine policy for notifying resource and referral agencies if center is closed; R and R's are notified if they request it.

-When complaints are registered against a center, results are disclosed if requested; exception - abuse complaints are confidential, except that they may be disclosed to specific persons as defined by law.

-Other remedies available: civil penalty of up to $500 per day of violation, revocation of license, restriction of license, denial of application, public reprimand, emergency suspension; placement of emergency monitor in facility for 10 days; restraining orders.

Staff Qualifications

-No state recommended salary schedule for center staff.

-Minimum age requirements for working in a center: administrator - 21 years; staff - 18 years; aides - 16 years.

-Compliance with ADA in staff hiring not specifically addressed, although rules require staff to be fit to perform job. Referrals made to appropriate resource agencies regarding specific issues.

Staff Prescreening

-Only directors required to be prescreened by fingerprinting; center staff required to be prescreened by criminal records background check for state crimes upon employment; no recent changes in TB prescreening policy.

-Criminal records checks go outside state lines for directors only.

-Crimes that prohibit employment: felony charges, simple battery when the victim is a minor and contributing to the delinquency of a minor.

-Not required - child abuse clearance, TB skin test, chest x-ray, medical exam, AIDS, Hib and measles immunizations, and drug and alcohol tests.

-Conditional hiring of staff (not director) is allowed until results of prescreening are received.

-No written references required.

-Temporary substitutes used on a routine basis must meet minimum qualifications and have a criminal background check.

Staff Training

-Preservice education or experience required for center directors, lead/head teachers. Orientation required for new staff.

-10 hours annual in-service training required for center staff related to job assignment. New staff must have specific training in abuse reporting, health related topics (disease control, illness detection, injury control, etc.)

-No specific training required for infant care, care of children with disabilities, sick child care, or drop in care except that training must be related to job assignment.
-Meeting the first aid and CPR requirements does not count toward annual 10 hours of training; at least 50% of center staff required to have CPR and first aid.

Child Documentation Policy

-Basic information required about child upon enrollment - identifying information, emergency authorization and contact, doctor's information, release statement, statement regarding health, allergies, etc.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children required to be immunized within 30 days; exceptions to the policy exist.
-Children in group care settings required to have Hib immunization.

Discipline Policy

-Corporal punishment is prohibited.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy

-Has been adopted; enforced by the State Fire Marshal's office.

Regulatory Process Subcontracting Policy

-GA does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-No smoking on the center property.

Swimming Pool Policy

-Pools must be inaccessible to children when not in use; must meet acceptable health standards.
-Child/staff ratio affected as follows: Children less than 2 1/2 years - 1:2; 2 1/2-4 years - 1:5; 4+ years who cannot swim 15 yards unassisted - 1:6; all others - 1:15.
-Staff is required to have lifesaving training offered by recognized agency for water safety instruction when the water is more than 2 feet deep.

Transportation Policy
-Regulations are specified in the rules.

Drop-In Child Care
-"Drop-in" child care is regulated, but no separate rules exist; drop-in children are not distinguished from non drop-in children.

Infant Care Programs
-Separate sections within the rules which address infant care.
-Centers do provide care to "infants only," defined as less than one year old or children under 18 months who are not walking.
-Only one "infants only" center currently in the state.

Overnight Care Programs
-Special regulations involving overnight care include: Separate changing areas for children of opposite sex, 8 years and older; sleeping equipment must be provided; dinner and nighttime snack also required.
-Approximately 14 centers currently offer overnight care.

Programs for Children with Disabilities
-No separate regulations; center must negotiate an agreement with parent regarding specific needs of child upon enrollment.
-Compliance with ADA in providing services to children not specifically addressed; referrals made to appropriate resource agencies regarding specific issues.

School Age Care Programs
-Separate regulations do not exist; rules that apply to school age care are denoted by a double asterisk in the regulations.

Sick Child Care Programs
-No separate regulations.

Subsidized Programs
-Contact: Division of Family and Children Services, Family Support Unit #2 Peachtree Street, NW, 12th Floor, Atlanta, GA 30303.

Reporting Child Abuse and Neglect
-Reported to Division of Family and Children Services.

Local Contacts
-Child Care Licensing Offices:

-217 W. Oglethrope Blvd. Room 264, Albany, GA 31701, (912) 430-4302

-P.O. Box 327, Americus, GA 31709 (912) 931-2513

-2 Peachtree St., NW, 32nd floor, Atlanta, GA 30303, (404) 657-5562

-P.O. Box 12435, Columbus, GA 31995 (706) 569-3117

-332 Washington St., NW, Suite 305, Gainesville, GA 30501, (404) 535-5475

-P.O. Box 398 Hazelhurst, GA 31539, (912) 375-3666
-3312 Northside Drive, Bldg. D, Suite 234, Macon, GA 31210, (912) 471-5722
-3728 Washington Road, Martinez, GA 30907, (706) 855-3455
-1305 Redmond Cr., NW,Bldg.614, Rome, GA 30161, (706) 295-6199
-P.O. Box 8163, Savannah, GA 31412, (912) 651-2276
-P.O. Box 1024, Valdosta, GA 31603, (912) 245-6580
-P.O. Box 1334, Waycross, GA 31501, (912) 285-6017

New or Pending Legislation

-None.

HAWAII (HI)

Information Supplied by:
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Assistant Division Administrator
Department of Human Services
Benefit, Employment & Support Svcs. Division
P.O. Box 339
Honolulu, HI 96809
PHONE: (808) 586-5770
FAX: (808) 586-5180

Number and Definition of Regulated Programs

-**384** licensed centers.
-Nursery schools, prekindergartens and religiously affiliated centers are included in this number.

Requirements

-License required; licensing required except in select situations; preapproval inspection required.
-Licenses are renewed annually; no license fee.
-Fire safety and sanitation inspections required annually; building code required at initial license.
-General or professional liability insurance not required.
-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 720 sq. ft. for 6 children plus 70 sq. ft. per child thereafter (up to 10); 1065 sq. ft. for 11 children plus 65 sq. ft. per child thereafter (up to 30); 2360 sq. ft. for 31 children plus 60 sq.ft. thereafter (up to 50); 3555 sq. ft. for 51 children plus 55 sq.ft. thereafter through 100; 6295 sq. ft. for 101 children plus 45 sq. ft. thereafter.
-Staff child ratios: infants - 1:3; toddlers - 1:4 [infant and toddler centers only]; 2 year olds 1:8; 3 year olds - 1:12; 4 year olds 1:16; schoolage - 1:20; mixed age group - age of youngest child.
-Naptime staff/child ratios: group centers: the number of children per staff is determined by the average of staff-child ratios.
-Group size delineations: infant and toddler centers only - 6 weeks - 12 months (staff/child ratio 1:3, group size - 6; staff/child ratio 1:4, group size - 8); 12 months-24 months (staff/child ratio 1:3, group size - 6; staff/child ratio 1:4, group size - 8; staff/child ratio 1:5, group size 10; staff/child ratio 1:6, group size - 12); and 18 months-36 months (staff/child ratio 1:5, group size - 10; staff/child ratio 1:6, group size 12).
-A first aid trained staff is required during operational hours.

Unannounced Inspection Policy

-Take place when a complaint is filed.

Complaint Procedure

-Policies for immediate closing of a center exist; policies on non-health and safety require a written corrective action plan.
-Center has up to 6 months to come into compliance; time varies depending on violation.
-Resource and referral agencies notified when a center is closed.
-Public reports complaints directly to the licensing staff.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age for working in a center is 18, except for aides (16).
-Compliance with ADA in staff hiring is done to the extent possible.

Staff Prescreening

-Fingerprinting, child abuse clearance, and medical examinations are required at initial employment; criminal records background check is required at initial employment by the FBI and is required annually by the state; TB skin test or chest x-ray required once upon first hire.
-All criminal records checks and child abuse and neglect checks go outside of state lines.
-Crimes that prohibit employment: drug offenses, assault, domestic violence, felony, burglary and DUI.
-Not required - AIDS test, Hib and measles immunizations, drug and alcohol tests.
-Conditional hiring prior to results of prescreening is allowed for an indefinite period of time.
-Two written references from former employers are required.
-Temporary substitutes must be at least 18 years old and must participate in orientations program of the facility.

Staff Training

-Preservice education and experience required for center directors, lead/head teachers, assistant teachers, and teacher aides; no requirements for the dietician and kitchen staff.
-No annual in-service training required.
-Special training required for infant care and care of children with disabilities; no special training required for sick child care.

Child Documentation Policy

-Center is required to keep information and records on each child.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children must be immunized, including Hib immunization.

Discipline Policy

-Corporal punishment is prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Has not been adopted.

Regulatory Process Subcontracting Policy
-HI does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is prohibited in all child care facilities.

Swimming Pool Policy
-State does have guidelines for swimming pools - exact details not provided.
-Child/staff ratios are the same as required during regular program.
-Certified lifeguard shall be on duty at all times for water/swimming activities.

Transportation Policy
-Regulations include: vehicle and driver to satisfy motor carrier safety rules and traffic laws of the state.

Drop-In Child Care
-Pending legislation, see below.

Infant Care Programs
-Separate and infant/toddler specific regulations exist.
-There are centers that provide care to "infants and toddlers," defined as infants (6 weeks-12 months) and toddlers (12-36 months).
-There are 27 "infant and toddler" centers in the state.

Overnight Care Programs
-Special regulations for overnight care include: consultation with parents, after which special attention given by caregiver to provide for transition into night care; selection of toys for quiet activities made available; comfortable beds or cots, bedding, and night clothes available or supplied by parents; beds placed 3 feet apart; staff available to assist children during eating, pre-bedtime hours, and morning dressing; during sleep hours, staff within listening distance to provide for needs or respond to emergency; child must not sleep in building detached from main facility; night care facilities include at least one shower, bathtub, or bathing facility for the children.
-Number of overnight centers unknown.

Programs for Children with Disabilities

-Separate regulations for caring for children with disabilities in each type of licensed facility.

-Compliance with ADA in providing services to children is done to the extent possible.

School Age Care Programs

-Separate and specific regulations for before and after school programs (Chapter 896, Licensing of Before and After School Child Care Facilities).

Sick Child Care Programs

-No special regulations.

Subsidized Programs

-Contact DHS - Oahu: (808) 587-5266 (Honolulu) (808) 622-7111 (Wahiawa), Hawaii: (808) 327-4755, Hilo: (808) 959-0669, Maui: (808) 243-5866, and Kauai: (808) 245-3461.

Reporting Child Abuse and Neglect

-Contact DHS (see above).

Local Contacts

-OAHU
  -Child Care Hawaii Program Office
   1001 Bishop St., Pacific Tower, Suite 900, Honolulu, HI 96813
   (808) 586-7050
  -Child Care Connection Hawaii Unit I
   677 Queen St., Rm. 400A, Honolulu, HI 96813 (808) 587-5266
  -Child Care Connection Hawaii Unit II
   1008 California, Bldg. B, Wahiawa, HI 96786 (808) 622-7111
-KAUAI
  -Child Care Connection Hawaii Unit Kauai
   Dynasty Court, 4473 Pahee St., Suite G, Lihue, HI 96766 (808) 245-3461
-HAWAII
  -Child Care Connection Unit East Hawaii
   Prince Kuhio Plaza, 111 East Puainako St., #A-105, Hilo, HI 96720
   (808) 959-0669
  -Child Care Connection West Hawaii Unit
   Frame Ten Bldg, 75-5586 Olio Rd, Rm 2004, Kailua-Kona, HI 96740 (808) 327-4755
-MAUI
  -Child Care Connection Hawaii Maui Unit
   270 Waiehu Beach Rd, Ste 107, Wailuku, HI 96793 (808) 242-8418

New or Pending Legislation

-Change to licensure of facilities from annually to annual for the first 4 years and then every other year conditional on good performance record.

-Pending: Chapter 897, Standards for Resorts and other Extended Drop-In Child Care Programs.

IDAHO (ID)

Information
Supplied by: Anna Sever, Bureau Chief
Department of Health and Welfare
P. O. Box 83720
Boise, ID 83720-0036
PHONE: (208) 334-5691
FAX: (208) 334-6664

Number and Definition of Regulated Programs

- -**526** licensed centers.
- -Nursery/preschools are not licensed separately, but are not included in the number of centers.
- -Religiously affiliated centers are licensed.

Requirements

- -License required; fire and health preapproval inspection required.
- -Licenses renewed every 2 years; maximum fee for licensing is $100 ($60 for renewal).
- -Separate inspections required every 2 years or on complaint by the Fire and Sanitation Departments.
- -Temporary licenses allowed during completion of initial requirements not to exceed 120 days.
- -General or professional liability insurance not required.
- -Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- -No space requirements.
- -Staff/child ratios - 1:12; no age delineations.
- -No naptime staff/child ratios.
- -No group size delineations.

Unannounced Inspection Policy

- -No unannounced center monitoring visits.

Complaint Procedure

- -Immediate closing of center required if meets temporary restraining order or dire conditions.
- -Dangers determine if only a warning is required, and the length of time a center has to come into compliance.
- -Resource and referral agencies not notified when a center is closed.
- -Complaints registered against centers are investigated.

Staff Qualifications
-No state recommended salary schedule for center staff.
-No minimum age requirement for working in a center.
-Compliance with ADA in staff hiring is unknown.

Staff Prescreening
-Staff required to be prescreened by fingerprinting and criminal records background check which includes State criminal investigation and child abuse registry, national crime information center, and FBI; required for those individuals who have direct contact with children who have not been a continuous resident of the state for 3 years or have not been employed or connected business in the county in which the center is located for the immediately preceding 3 years.
-Criminal records checks and child abuse and neglect checks go outside state lines.
-Crimes that prohibit employment: sexual offenses, child abuse and murder.
-Not required - TB skin test, chest x-ray, medical examination, Hib and measles immunizations, AIDS test, drug and alcohol tests.
-There are no staff medical requirements.
-Conditional hiring allowed prior to results of prescreening is allowed with a self-declaration.
-No written references required.
-No state policy regarding the use of temporary substitutes.

Staff Training
-No preservice education and/or experience required for directors, lead/head teachers, assistant teachers, teacher aides, or the dietician and kitchen staff.
-Staff required to participate in 4 hours annual in-service training.
-No special training is required for infant care, care of children with disabilities, sick child care, or drop in care.
-CPR/first aid not a separate preservice and/or in-service training requirement.

Child Documentation Policy
-No specific state guidelines for child enrollment.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Parent/Guardian must present proof of child immunizations within 14 days of child's enrollment, including Hib; exemptions to this policy for life or health or religious objection.
-No information provided regarding Hib immunization for enrolled children.

Discipline Policy
-No discipline policy regarding corporal punishment.

Emergency Medical Consent Policy
-Written consent required, but does not have to be notarized.

Environmental Policy
-No requirements for facilities to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-No information about state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Has not been adopted.

Regulatory Process Subcontracting Policy
-ID does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is allowed without restriction.

Swimming Pool Policy
-No guidelines regarding swimming pools, child/staff ratios, or Red Cross lifesaving training requirements for staff.

Transportation
-No regulations concerning the transportation of children.

Drop-In Child Care
-"Drop-in" child care is not regulated.

Infant Care Programs
-No separate regulations for centers which service infants.
-No centers provide care to "infants only."

Overnight Care Programs
-No special regulations for overnight care.
-Centers do provide overnight care; exact number unknown.

Programs for Children with Disabilities
-No separate regulations for caring for children with disabilities.
-Compliance with ADA in providing services to children unknown.

School Age Care Programs
-No separate regulations for before and after school programs.

Sick Child Care Programs
-No separate regulations for caring for sick children.

Subsidized Programs
-Contact Health and Welfare, Family Self Support, Division of Welfare, Box 83720, Boise, ID 83720-0036; (208) 334-5691.

Reporting Child Abuse and Neglect
-Contact local Health and Welfare Offices.

Local Contacts
-Region I
 -H&W, FACS, 1250 Ironwood, Suite 100, Coeur d' Alene, ID 83814
 (208) 769-1515; (800) 548-7961

-Region II
 -H&W, FACS, 1118 "F" Street, P.O. Drawer B, Lewiston, ID 83501 (208) 799-4360

-Region III
 -H&W, FACS, 3402 Franklin Road, P.O. Box 1219, Caldwell, ID 83605
 (208) 454-0421

-Region IV
 -H&W, FACS, 1720 Westgate Drive, Suites A-D, Boise, ID 83704 (208) 334-6800

-Region V
 -H&W, FACS, 601 Poleline Rd., Twin Falls, ID 83301 (208) 734-4000

-Region VI
 -H&W, FACS, 1090 Hiline, P.O. Box 4166, Pocatello, ID 83205 (208) 235-2800

-Region VII
 -H&W, FACS, 150 Shoup Avenue, Suite 19, Idaho Falls, ID 83402 (208) 528-5914

New or Pending Legislation
-None.

ILLINOIS (IL)+

Information
Supplied by:

Carol Borders, Licensing Specialist
DCFS - Office of Licensing
406 East Monroe
Springfield, IL 62701
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FAX: (217) 524-0014

Definition and Number of Regulated Programs

-**2,907** licensed day care centers.

-Nursery schools, prekindergartens, and religiously affiliated centers not exempt from licensure, are included in this number; IL exempts from licensure programs operated by public or private (including religious) school systems serving children who have attained the age of 3; there are no provisions to exempt any day care programs serving children under age 3.

Requirements

-License required; preapproval inspection required.

-Licenses are renewed every 3 years; no license fee.

-Fire safety inspection required annually; health inspection required every 3 years.

-General liability insurance required; professional liability insurance not required.

-Physical security of the child care center: a written record which includes the name of the individual, date and time must be kept when a child is released to someone other than the parent(s) or guardian(s); no other physical security (such as a card access system) is addressed by the State.

Regulations

-Space requirement per child: indoor - 55 sq. ft. for infants and toddlers; 35 sq. ft. per child; outdoor - 75 sq. ft.; outdoor space must accommodate 25% of enrollment.

-Staff/child ratios: infants - 1:4; toddlers - 1:5; two year olds - 1:8; preschool - 1:10; school- age - 1:20; mixed age groups - must have ratio required for lowest age child.

-Naptime staff/child ratios: for other than infants and toddlers, 50% of the staff is required during nap times, provided the required staff/child ratio is maintained on the premises; infants and toddlers shall be under the direct supervision of staff required at all times.

-Group size delineations: infants (maximum group size - 12); toddlers (maximum group size - 15); infants and toddlers (maximum group size - 14); 2-3 years (maximum group size - 16); 2-4 years (maximum group size - 16); 2-5 years (maximum group size - 16); 3-4 years (maximum group size - 20); 3-5 years (maximum group size - 20); 4-6 years (maximum group size - 20); and 6 years

and over (maximum group size - 30).
-During hours of operation at least one staff member certified in first aid, infant/child CPR and the Heimlich maneuver must be present.

Unannounced Inspection Policy
-A minimum of one unannounced annual visit; all complaint investigations are unannounced, as are follow-up visits.

Complaint Procedure
-Law authorizes immediate closing of a center required when health, safety, welfare or morals of children are in jeopardy.
-Length of time center has to come into compliance depends upon seriousness of violation and impact upon care.
-Resource and referral agencies notified when a center is closed.
-Complaints registered against a center are responded to.

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement for center director - 21; minimum age requirement for other center staff - 19.
-Compliance with ADA in staff hiring: Current rule does not prohibit hiring of specially abled if physical and mental health do not interfere with child care responsibility. Rule Language Provisions will address compliance with ADA.

Staff Prescreening
-Staff required to be prescreened by child abuse clearance, criminal records background information check, IL sex offender registry, TB skin test, chest x-ray (in cases of positive skin test), and medical examination every 2 years thereafter; no recent change in TB screening policy.
-Crimes that prohibit employment: child abuse (IL only), criminal history (IL and FBI if individual acknowledges conviction(s) and/ or has lived in IL less than 3 years).
-Not required - AIDS, Hib and measles immunizations, drug and alcohol tests.
-Conditional hiring prior to results of prescreening is allowed; however, staff may not be left alone with children until they have cleared the child abuse/ neglect check and the sex offender registry; policy established by facility, but hiring criteria must be met.
-3 character references required.
-Substitutes shall have same qualifications of staff for whom they substitute.

Staff Training
-Specific preservice education and/or experience required for center director, lead/head teachers, assistant teachers (amount required depends on position; courses required depend on age and number of children in care); dietician and kitchen staff have the same personal qualifications as for other staff.
-15 hours annual in-service training required for center staff.
-Special training required for care of children with disabilities.
-No special training required for infant care (except requirements for nurse/doctor consultant), sick child care, or drop-in care.

Child Documentation Policy
-Centers must maintain record file on each enrolled child.
-Follows IL Dept. of Public Health policy for lead screening and TB tests.

Child Immunization Policy
-All enrolled children must be immunized, including Hib immunization; exemptions allowed on religious grounds or clinical reasons.

Discipline Policy
-Center staff shall use disciplinary measures designed and carried out in such a way as to help individual children develop self control and to assume responsibility for their own acts. No child shall be subjected, under any circumstances, to corporal punishment inflicted upon the body or to verbal abuse, or be deprived of regularly scheduled meals or any part of meals as punishment, or punished for toilet accidents.

Emergency Medical Consent Policy
-Standards require parent(s) to provide name, address and telephone number of physician and names of other persons to contact if the parent(s) are not available in an emergency situation. Forms do not have to be notarized.

Environmental Policy
-No information available about testing facilities for radon and asbestos; rules state that facilities must be free of lead.

National Life Safety Fire Code Policy
-Has been adopted; State Fire Marshal's office implemented NFPA's 1991 LSC.

Regulatory Process Subcontracting Policy
-No information available.

Smoking Policy
-Smoking is not permitted.

Swimming Pool Policy
-Guidelines must meet requirements of the IL DPH.
-Child/staff ratios are affected: Infant/Toddler (1-1); 2 yr olds (4-1); 3 yr olds (6-1); 4 yr olds (8-1); 5 yr olds (10-1); and school-age (15-1).
-At least one staff member must have Red Cross lifesaving training.

Transportation Policy
-Special regulations concerning the transportation of children are included in the licensing standards.

Drop-In Child Care
-Determined by definition of who is subject to licensure as to whether or not it is regulated.

Infant Care Programs

-Separate additional regulations in the licensing standards for centers which service infants.
-There are centers providing care to "infants only," defined as 6 weeks-2 years.
-The number of "infant only" centers in the state is unavailable.

Overnight Care Programs

-Special additional regulations for overnight care.
-Number of centers providing overnight care is unavailable; facilities are generally associated with employment related child care - hospitals/or other employers requiring shift schedules.

Programs for Children with Disabilities

-Separate additional regulations in the licensing standards about providing care for children with disabilities; mainstreaming of children with disabilities is encouraged.
-Compliance with ADA in providing services to children is addressed.

School Age Programs

-Separate regulations do not exist.

Sick Child Care Programs

-No information available.

Subsidized Programs

-Contact through local Department of Human Services (Public Aid office).

Reporting Child Abuse and Neglect

-Call (800) 252-2873.

Local Contacts

-4 regional offices within the State.

New or Pending Legislation

-Implemented 1/1/99: telephone access to information on substantiated complaints in a licensed facility.

+ Information not reverified by state.

INDIANA (IN)

Information
Supplied by:
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Division of Family and Children
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Indianapolis, IN 46204
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FAX: (317) 232-4468

Number and Definition of Regulated Programs

-**656** licensed centers.
-Private or public school programs are exempt from licensing; day care religious ministries are registered.
-Nursery schools, prekindergartens and religious child care registered ministries are not included in this number.

Requirements

-License required; preapproval inspection required.
-Licenses are renewed every two years; no fee.
-Fire safety and Health inspections required annually; building code inspection required once by State - local inspections vary.
-General or professional liability insurance not required.
-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft. (excludes kitchen, hallways and bathrooms); outdoor - 50 sq. ft.
-Staff/child ratios: infants - 1:4; toddlers - 1:5; 2 year olds - 1:5; 3 year olds - 1:10; 4 year olds - 1:12; 5 year olds - 1:15; 6 year olds and up - 1:20.
-Naptime staff/child ratios: same as above; no change.
-Group size delineations: infants (maximum group size - 8); toddlers (maximum group size - 10); 2 year olds (maximum group size - 15); 3 year olds and up (no maximum group size); toilet trained and 31-36 months may be grouped with 3 year olds (maximum group size - 14); and fewer than five 2 year olds may be combined with the 3 year olds (maximum group size - 15).
-At least one adult on the premises whenever children are present must be trained in pediatric CPR.

Unannounced Inspection Policy

-Approximately 3 times per year (licensing inspections and complaints).

Complaint Procedure

- If children are at risk or in imminent danger, immediate closing of center is required.
- Policies that require only a warning exist; probationary licenses may be issued.
- Length of time center has to come into compliance depends on severity of non-compliance.
- Centers with enforcement action pending are not included on lists to parents or resource and referral organizations.
- Complaints registered against a center are responded to; the staff person assigned a complaint has 30 days to file written response for the center file.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Minimum age requirement for working in a center is 18 and age 21 for infants.
- Compliance with ADA in staff hiring is required under federal law. All centers expected to comply.

Staff Prescreening

- TB skin test and general medical examination required within 3 months prior to employment; TB test us required annually thereafter for all persons having direct contact with children required; if TB test is positive, chest x-ray is mandatory; no recent changes in TB screening process.
- Criminal records background check and child abuse clearance also required; does not go outside of state lines.
- Crimes that prohibit employment: conviction for any felony or misdemeanor involving children is grounds for negative licensing action.
- Not required - fingerprinting, AIDS test, Hib and measles immunizations, drug and alcohol tests.
- Conditional hiring prior to results of prescreening not allowed.
- No written references required; each center has own requirements.
- A responsible adult age 18 or over must always be readily available to substitute for a regularly assigned staff member in charge of a unit of children.

Staff Training

- Preservice education and experience required for center directors, lead/head teachers, assistant teachers, and teacher aides; no requirements for the dietician and kitchen staff.
- At least 12 hours of annual in-service training required for center staff.
- All employees providing direct care to children must have training in basic first aid within three months of employment and at least every three years thereafter.
- All staff members who have direct contact with infants and toddlers must have current training in first-aid procedures, particularly control of bleeding, treatment for shock, artificial respiration, poisoning, choking and seizures, prior to giving care; no special training required for special needs care, sick child care, or drop in care.

Child Documentation Policy
-Center must keep adequate social and progress records, as well as identifying information, on each child in care.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children must be immunized, including Hib immunization, unless a specific immunization is a danger to the health of the child.

Discipline Policy
-The director must not use, nor permit any person to use, corporal or other cruel, harsh or unusual punishment, or any humiliating or frightening method to control the actions of any child or group of children. No child may ever be shaken, hit, or spanked.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Has not been adopted.

Regulatory Process Subcontracting Policy
-IN does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; reason generally given is that cost effectiveness has not been proven.

Smoking Policy
-Smoking is prohibited in areas where children are present, are at any time present, and in the kitchen.

Swimming Pool Policy
-Guidelines include that the pool be maintained according to state health regulations; written parental permission; pool must be fenced; locked gate; and two flotation devices.
-Child/staff ratios are affected; must be 2 times regular ratio.
-Staff required to have Red Cross lifesaving training.

Transportation Policy
-Regulations concerning the transportation of children exist.

Drop-In Child Care
-"Drop-in" child care is not regulated.

Infant Care Programs
-Separate regulations for centers which service infants.
-No centers provide care to "infants only."

Overnight Care Programs
-Special regulations include additional state fire marshal requirements.
-6 centers provide overnight care.

Programs for Children with Disabilities
-No special regulations.
-Compliance with ADA in providing services to children are required under federal law. All centers expected to comply.

School Age Care Programs
-Separate regulations do not exist for school age child care.

Sick Child Care Programs
-Specific regulations for care of children who become ill at a center exist.

Subsidized Programs
-Contact IN Division of Family and Children, Bureau of Child Development, 402 West Washington St., 3rd floor, Indianapolis, IN 46204; (317) 232-2291.

Reporting Child Abuse and Neglect
-Each county has child protection services phone numbers; also statewide 800 number.

Local Contacts
-None.

New or Pending Legislation
-None.

IOWA (IA)

Information
Supplied by:
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Child Care Licensing
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Des Moines, IA 50319
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FAX: (515) 281-4597
EMAIL: jingers@dhs.state.ia.us

Number and Definition of Regulated Programs

- **1,526** licensed centers (includes 658 preschools).
- Number also includes prekindergartens (which are not part of an approved school system) and religiously affiliated centers.
- Preschools licensed separately, but with same regulations.
- Exempt from licensing: (1) any instructional program administered by a public or nonpublic school system accredited by the department of education or the state board of regents or a program provided under IA Code section 279.49 or 280.3A; (2) A church-related instructional program of not more than one day per week; (3) Short-term classes held between school terms; (4) A child care center for sick children operated as part of a pediatric unit in a hospital licensed by the department of inspections and appeals pursuant to IA Code chapter 135B; (5) A non-profit program operated by volunteers for no charge for not more than 2 hours during any 24-hour period; (6) A program provided by the state or a political subdivision, which provides recreational classes for a period of less than 2 hours per day; (7) A program administered by a political subdivision of the state which is primarily for recreational or social purposes and is limited to children who are 5 years of age or older and attending school; (8) An instructional program administered by a nonpublic school system which is not accredited by the department of education or the state board of regents; and (9) any special activity programs that meet on a regular basis such as music or dance classes, organized athletics or sports programs, scouting programs, or hobby or craft classes or clubs.

Requirements

- License required for anyone who is not registered and caring for 7 or more children; preapproval inspection required.
- Licenses are renewed annually; no license fee.
- Fire safety inspection required annually; building code and zoning inspections depend on local requirements at the time of opening.
- General and/or professional liability insurance not required.
- Physical security of the child care facility focuses on premises issues related to environmental, traffic and play ground hazards; policies are required to address intruders in the center.

Regulations

-Space requirements per child: indoor - 35 sq. ft. (program area only with a minimum of 80 sq. ft. total)); outdoor - 75 sq. ft. (at any one time with a minimum of 1000 sq. ft. total); in room with infants with cribs - 40 sq. ft.

-Staff/child ratios: infants - 1:4; 2 year olds - 1:6; 3 year olds - 1:8; 4 year olds - 1:12; 5 to 10 year olds - 1:15; mixed age groups - based on age of majority of children in group.

-Naptime staff/child ratios: ratios above must be met in the premises, but only one adult is required in each nap room for a period of time not to exceed 1 hour while all children are asleep (ratio maintained in infant room).

-Group size delineations: none.

-Someone must be on premises at all times with current first aid; director must have first aid and CPR; all staff 18 years old and up and working more than 20 hours must be certified in first year of employment in first aid and CPR and must maintain certification.

Unannounced Inspection Policy

-Effective 4/1/98, one unannounced visit required each licensing year.

Complaint Procedure

-No policies that require immediate closing of a center; if the children are in immediate danger, can request injunction from County Attorney.

-No specific written definition for policies that only require a warning.

-Length of time center has to come into compliance depends on the specific deficiency.

-Resource and referral agencies not officially notified if a center is closed.

-When a complaint is registered against a center, the responsible child care consultant investigates immediately and sends a written report to the center and keeps one in file; further response depends on result of investigation.

-Unsubstantiated complaints are maintained in closed file; substantiated complaints are maintained in the licensing file and open to the public.

Staff Qualifications

-No state recommended salary schedule for center staff. Salary is established by the state personnel classification system.

-Minimum age requirement for working in a center is 16 if under the supervision of an adult and 18 if alone with children.

-Centers are required to make reasonable accommodations in providing care for a child with a disability.

Staff Prescreening

-Center staff required to be initially prescreened via a child abuse and criminal background check, and every 5 years thereafter; medical examination initially and every 3 years; TB skin test required.

-Crimes that prohibit employment: criteria used to assess each criminal conviction or founded child abuse; supervisor and additional training often placed as contingencies on approval employment.

-Not required - fingerprinting, chest x-ray, AID test, drug and alcohol tests.

-Measles or Hib immunizations are not mandated for staff; physical exam requirements include testing for communicable diseases.

-Conditional hiring prior to results of prescreening is allowed until forms are returned to center.
-No written references required by state regulation.
-Center should have substitutes (if not, temporary substitutes may be used until files are completed) who meet requirements on file.

Staff Training
-Combination of formal education, experience and training required for center directors and on-site supervisors; no requirements for teacher aides, and the dietician and kitchen staff; may develop requirements for lead teachers.
-10 hours training required in specific subjects (in addition to CPR, First Aid and mandatory reporting of child abuse) for line staff employed more than 20 hours per week.
-6 hours annual thereafter; 8 for director and on-site supervision.
-Staff employed less than 20 hours per week - minimum of 5 hours training required the first year; 4 hours annual thereafter.
-No special training required for infant care, care of children with disabilities, or drop in care, although training must be related to the developmental & cultural characteristics of children served; get well centers require an LPN or RN on duty at all times and 17 hours of specialized training.

Child Documentation Policy
-Preschool children are required to have on file before entering: immunization record, emergency medical consent form, permission for specific individuals to pick up child, necessary information to obtain emergency medical and dental care and emergency contact person; pre-enrollment physical exam report submitted within 30 days.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children are required to be immunized, including Hib.

Discipline Policy
-Physical punishment, and any punishment that is humiliating, frightening, or causes pain or discomfort, or connected with food or toilet training is prohibited; also prohibited is verbal abuse, threats or derogatory remarks about the child and the child's family.

Emergency Medical Consent Policy
-Written consent is required, but does not have to be notarized, depending on local hospital requirements.

Environmental Policy
-Facilities are required to be assessed for the presence of carbon monoxide, radon or lead (but not asbestos) as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

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National Life Safety Fire Code Policy

-Has not adopted; abide by rules promulgated by State Fire Marshal specific for child care centers.

Regulatory Process Subcontracting Policy

-IA does not subcontract any or all of the child care center regulatory process to a public and/or private agency or organization.

Smoking Policy

-During hours of operation, smoking shall not be allowed in the center, outside play area, or facility-operated vehicle. Smoking shall never be allowed in food preparation or storage areas.

Swimming Pool Policy

-Falls under Department of Public Health for sanitation of public pools.

Transportation Policy

-A second staff member must be present if 7 or more children are being transported for reasons other than transportation to school.

Drop-In Child Care

-"Drop-in" child care is not regulated if the parents are on the premises and remain immediately available.

Infant Care Programs

-Center must report to parents each day, for children under 24 months, the amount of time the child slept, amount of food consumed and times at which the child ate, and time of and irregularities in bowel movements, general disposition and activities.

-No information available on "infant only" centers.

Overnight Care Programs

-Bathing facilities not required; crib/cot/bed and bedding must be provided.

Programs for Children with Disabilities

-No separate regulations; mainstreaming is not required, but is allowed.

-Regulations state reasonable accommodations must be made based on special needs of children with disabilities.

-Allow for additional qualifications for director and on-site supervisor.

School Age Care Programs

-Allow for additional qualifications for director and on-site supervisor.

-Accommodation made for immunization record keeping and environmental assessment for school-operated programs in school buildings.

-Separate regulations for school age child care do not exist.

Sick Child Care Programs

-Additional regulations exist requiring different physical arrangements of facility, staff ratio, staff training and requiring an RN or LPN, triage procedures, and medical doctor as consultant.

Subsidized Programs

-Contact Department of Human Services local office.

Reporting Child Abuse and Neglect

-Statewide number: (800) 362-2178; each county has specific numbers.

Local Contacts

-Each county has a Department of Human Services Office.

New or Pending Legislation

-None.

KANSAS (KS)

Information
Supplied by:

Christine Ross-Baze, Director
Child Care Licensing & Registration Section
Dept. of Health and Environment
109 S.W. 9th St. Mills Bldg. 400 C
Topeka, KS 66612-2217
PHONE: (785) 296-1272
FAX: (785) 296-7025

Definition and Number of Regulated Programs

- **1,385** (includes 1,056 licensed child care centers; 329 preschools).
- Nursery schools, preschools, prekindergartens, religiously affiliated centers and school age programs are included in this number.

Requirements

- License required; preapproval inspection required.
- License reviewed annually; license fee is $15 for license capacity of up to 12 children; 13 or more is a base fee of $35 plus $1 for each child in capacity; fees go to state general fund.
- Fire safety inspection required annually; building code inspection required annually where city requires; sanitation inspection required yearly if using septic system or well water.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft., excluding passage ways, restrooms, kitchens, crib space; outdoor - 75 sq. ft. to accommodate 1/2 of license capacity (min. 750 sq. ft.).
- Staff/child ratios: infants - 1:3; toddlers - 1:5; 2 1/2 to 6 years - 1:10; 3 to 6 years - 1:12; schoolage (K-12) - 1:14; schoolage (6-12) - 1:16; mixed age groups (ages 0-6) - 1:4, maximum of 8 children in one group.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: birth-12 months (group size - 9); 12-30 months (group size - 10); 2-3 years (group size - 14); 2 1/2 - 6 years (group size - 20); 3-6 years (group size - 24); kindergarten (group size - 28); 6 years and up (group size - 32); and mixed age groups of birth-6 years (group size - 8).

Unannounced Inspection Policy

- Yes, annually and in complaints; compliance checks are conducted following enforcement action.

Complaint Procedure

- Policies that require immediate closing of a center include emergency suspension capability in life endangered situation.
- Length of time center has to come into compliance depends on violation; 5 days for compliance or plan for compliance.
- Resource and referral agencies are notified when the department intends to close a center by enforcement action; monthly lists of active files are now available to R&R's.
- When complaint is registered against a center, the Health Dept. or SRS conduct complaint investigations; reports are sent to DHE; enforcement action is then taken.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Minimum age requirements for center staff: directors and lead teachers - 18; aides - 16; volunteers - 14.
- Compliance with ADA in staff hiring is administered by another agency.

Staff Prescreening

- Child abuse clearance, criminal records background check, TB skin test or chest x-ray and medical examination are required; no recent change in TB screening procedure.
- Crimes that prohibit employment: no information available.
- Not required - fingerprinting, AIDS test, Hib and measles immunizations, drug and alcohol tests.
- Conditional hiring prior to results of prescreening are allowed for one week.
- Written references required.
- Requirements for temporary substitutes are in regulations.

Staff Training

- Preservice education and/or experience required for center directors, lead/head teachers, assistant teachers, and teacher aides; no requirements for dietician and kitchen staff.
- Annual in-service training required for center staff: 10 clock hours for staff; 5 clock hours away from center for directors.
- First aid is separate preservice and/or in-service requirement.
- Special training required for infant care and care of children with disabilities; no special training required for drop in care.

Child Documentation Policy

- Health forms are required for each enrolled child.
- No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

- Enrolled children are required to be immunized, including the Hib immunization.

Discipline Policy

- Corporal punishment is prohibited.

Emergency Medical Consent Policy

-Since forms are required to be acceptable to the hospital that provides emergency treatment, form may have to be notarized; it depends on that hospital's requirement.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.

-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontracting Policy

-KS subcontracts part of the child care center regulatory process; inspections and investigations are done by community health departments and private contractors.

Smoking Policy

-Smoking is prohibited in licensed centers while children are present.

Swimming Pool Policy

-Guidelines include: swimming pools with water over 24" deep, wading pools, and hot tubs on the premises must be constructed, maintained, and used to safeguard the lives and health of the children; number and ages of children limited to allow appropriate supervision by adult staff members; legible safety rules posted in conspicuous location, and read and reviewed weekly by each staff member responsible for the supervision of children; below-ground swimming pools enclosed by fence not less than 5 ft. high; above-ground swimming pools shall be 4 ft. high or enclosed with fence not less than 5 ft. high; steps removed from pool when pool not in use; sensors not used in lieu of fence; pool 6 ft. in width, length, or diameter provided with ring buoy and rope or shepherd's hook of sufficient length; children never permitted to play without supervision near wading pool with water; water in wading pools emptied daily; hot tubs covered with insulated cover secured with straps or locks; children in day care not permitted to use hot tubs; ponds and lakes used only by children over 6 years of age, and must be approved for swimming by county health dept. or Kansas dept. of health and environment or like dept.

-Child/staff ratios are maintained the same as required ratios for various age groups.

-The state cannot promote one agency's program by requiring staff to have Red Cross lifesaving training, but a person with a life saving certificate or a person with training in CPR who can swim shall be in attendance when children are using a swimming pool; certified lifeguard on duty at ponds and lakes.

Transportation Policy

-Current driver's license and insurance, seat restraints, supervision and vehicle safety check.

Drop-In Child Care
-No information available.

Infant Care Programs
-Regulations for centers have special sections for preschool care, special needs programs, full-day care, infant and toddler care, school age care, and intergenerational care.
-No centers provide care to "infants only."

Overnight Care Programs
-No information given regarding the special regulations for overnight care.
-Centers do provide overnight care, but exact number is unknown.

Programs for Children with Disabilities
-Separate regulations for the care of children with disabilities exist.
-Compliance with ADA in providing services to children is administered by another agency.

School Age Programs
-Child care, before and after school programs are licensed, including programs in public schools, offered by parks and recreation.

Sick Child Care Programs
-No separate regulations.

Subsidized Programs
-Contact Verna Weber, Department of Social and Rehabilitation Services: (785) 296-6772.

Reporting Child Abuse and Neglect
-Call 1-800-922-5330 or the local Social and Rehabilitation Services Office.

Local Contacts
-Local County Health Department.

New or Pending Legislation
-None.

KENTUCKY (KY)

Information
Supplied by:
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Section Supervisor
OIG-DL&R, CHR Building 4-E
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Frankfort, KY 40621
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FAX: (502) 564-6546

Number and Definition of Regulated Programs

- **1,974** licensed centers.
- Nursery schools, prekindergartens and religiously affiliated centers are included in the number.

Requirements

- License required for care of 7 or more children who are not the children, grandchildren, nieces, nephews, or children in legal custody of the provider of care; preapproval inspection required.
- Licenses are renewed annually; $80 initial licensure fee for Type I Centers; $40 initial licensure fee for Type II Centers; $40 renewal fee for both types; money goes to state general fund.
- Fire safety and building code inspection required annually.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 60 sq. ft.; indoor space in lieu of outdoor play area is 60 sq. ft.
- Staff/child ratios: infants - 1:5; toddlers - 1:6; 2 to 3 years - 1:10; 3 to 4 years - 1:12; 4 to 5 year olds - 1:14; school age - 1:15; 7 and older - 1:25 (before/after school); 7 and older - 1:20 (full day care).
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: birth-1 year (maximum group size - 10); 1-2 years (maximum group size - 12); 2-3 years (maximum group size - 20); 3-4 years (maximum group size - 24); 4-5 years (maximum group size - 28); 5-7 years (maximum group size - 30); and 7 years and older (maximum group size - 30).
- One person on duty at all times certified in infant and child CPR and first aid.

Unannounced Inspection Policy

- Annual relicensure inspections are unannounced and complaint investigations.

Complaint Procedure
-If children in care are in immediate danger, a license may be revoked.
-Length of time center has to come into compliance depends on severity of cited deficiency.
-Resource and referral agencies are notified when center is closed.
-All allegations of non-compliance with licensure standards require mandated investigation on an unannounced basis.

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement for working in a center is 18; minimum age requirement is 16 if under supervision of adult worker.
-Compliance with ADA in staff hiring involves providing information to providers regarding the ADA. DSS policy somewhat overlaps with ADA regulations.

Staff Prescreening
-Fingerprinting, child abuse clearance, criminal records background check, TB skin test required; chest x-ray required if appropriate (per physician); no recent changes in TB screening procedure.
-Crimes that prohibit employment: no information available.
-Not required - medical examination, AIDS test, Hib and measles immunizations, drug and alcohol tests.
-Conditional hiring prior to results of prescreening not allowed.
-Temporary substitutes must meet same requirements as staff.

Staff Training
-Preservice education and/or experience required for center director; no requirements for lead/head teachers, assistant teachers, teacher aides, or the dietician and kitchen staff.
-12 hours annual in-service training required for center staff.
-6 hours orientation training for newly hired staff during first 3 months of employment.
-No special training required for infant care, care of children with disabilities, sick child care, or drop in care.

Child Documentation Policy
-Medical records are required each enrolled child.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-All enrolled children are required to be immunized; except for Hib immunization; records must be on file.

Discipline Policy
-Physical punishment is prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Has been adopted and enforced by the State Fire Marshal's office.

Regulatory Process Subcontracting Policy
-KY does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is not allowed when children are present; it must be limited to designated areas of the facility.

Swimming Pool Policy
-Swimming pools are not specifically addressed in the regulations.

Transportation Policy
-A section of the regulations addresses transportation of children.

Drop-In Child Care
-Drop-in" situations are included in the definition of day care; no exemptions or special regulations apply to this type of care.

Infant Care Programs
-A section of the regulations addresses infant/toddler care.
-There are centers that provide care to "infants only," defined as under one year of age.
-There are 9 "infant only" centers in the state.

Overnight Care Programs
-Special regulations for overnight care include different sleeping accommodations and hours.
-Centers do provide overnight care, but exact number is unknown.

Programs for Children with Disabilities
-No separate regulations for caring for children with disabilities, but regulations require that the individual needs of each child must be met; mainstreaming of care of children with disabilities is not required.
-Compliance regarding ADA involves training providers and licensing inspectors about ADA regulations. DSS policy somewhat overlaps with ADA regulations.

School Age Care Programs
-A section of the regulations addresses before/after school care.

Sick Child Care Programs
-No separate regulations.

Subsidized Programs

-Contact Lydia Roberts, Branch Manager, Child Care Services Branch, Department for Social Services, 6th Floor West, CHR Bldg., 275 E. Main St.,Frankfort, KY: (502) 564-2524.

Reporting Child Abuse and Neglect

-Call (502) 564-2800.

Local Contacts

-Region A
Mary Curlin, Regional Program Manager
Division and Licensing Regulation
Office of Inspector General
Western State Hospital
Hopkinsville, KY. 42240
(502) 885-6143 FAX (502) 886-1336

-Region B
Donna Demaree, Regional Program Manager
Division and Licensing and Regulation
Office of Inspector General
L & N Building, Second Floor East
908 West Broadway
Louisville, KY 40203
(502) 595-4079 FAX (502) 595-4540

-Region C
Woody Dunn, Regional Program Manager
Division of Licensing and Regulation
Office of Inspector General Room 433
Regional State Office Building
London, KY. 40741
(606) 878-7827 FAX (606) 878-2773

-Region D
Steven Davis, JD, Regional Program Manager
Division of Licensing and Regulation
Office of Inspector General
Eastern State Hospital
627 W. Fourth Street
Lexington, KY 40508
(606) 246-2301 FAX (606) 233-3142

New or Pending Legislation

-HB 583 will require that all individuals who work in a child care center be screened to determine if he/she has been identified as a perpetrator of abuse or neglect or has been convicted of a sexual offense. This new legislation will require that a portion of the day care regulations be revised.

LOUISIANA (LA)

Information
Supplied by: Theresa Anzalone, Director
Bureau of Licensing
Dept. of Social Services
P.O. Box 3078
Baton Rouge, LA 70821
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FAX: (225) 922-0014

Number and Definition of Regulations Programs

-**1,808** centers (1,308 Class A and 500 Class B).

-Day Care Center defined as: any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision and guidance of seven or more children not related to the caregiver and unaccompanied by parent or guardian, on a regular basis for at least twenty hours in a continuous seven-day week, and in which no individual child remains for more than 24 hours in one continuous day.

Requirements

-License required; preapproval inspection required.

-License renewed annually; $25 initial application fee; additional as follows: $25 for 15 or fewer children; $100 for 16-50; $175 for 51-100; $250 for 101 or more; Class B church owned and operated centers are exempt.

-Class A centers may receive state and/or federal funds; and Class B cannot receive state or federal funds directly or indirectly.

-Fire and safety and public health inspections required initially and annually; building and zoning code required initially only.

-General liability insurance required for Class A licensed centers only; professional liability insurance not required.

-Physical security of the child care facility (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft. for one-half the number licensed for indoor or 37.5 sq. ft. for each child.

-Staff/child ratios: 0-1 years - 1:6; 1-2 years - 1:8; 2-3 years - 1:12; 3-4 years - 1:14; 4-5 years - 1:16; 5-6 years - 1:20; school age - 1:25; mixed age groups - average ratio observed as long as no children under 2 are present [ratios apply for centers of 11 or more children].

-Naptime staff/child ratios: same as above.

-Group size delineations: 0-1 year (maximum group size - 12); 1 year (maximum group size - 16); 2 year (maximum group size - 12); 3 years (maximum group size - 14) and 4 years (maximum group size - 16). Group size delineations are for

Class A only.
-Fifty per cent of staff on the premises of a Class A site must be certified in Pediatric First Aid and be accessible to the children. At least 2 staff on the premises must be certified in CPR and be accessible to the children; Fifty per cent of staff on the premises of a Class B site must be certified in CPR and accedible to children at all times. Pediatric First Aid is not required at Class B sites.

Unannounced Inspection Policy

-State law requires all licensing visits to be unannounced.

Complaint Procedure

-State law does not cover immediate closing of a day care center; however, any child, or all children, may be removed from center if conditions exist which places the health and safety of a child, or children, in imminent danger.
-Class A licensed center must post telephone number of Bureau of Licensing and parents informed that they may call if they have complaints; (Not required in Class B licensed centers).
-All child abuse complaints investigated by Child Protection Agency.
-Licensing violations require a warning; follow-up licensing inspection made.
-If a license is denied or revoked; must be done with permission of a Child Care Committee; center has 30 days to file an appeal for a hearing before Bureau of Appeals; center may also file suit in district court.
-Resource and referral agencies are not notified of center closing on an individual basis. They obtain lists on an as-needed basis.

Staff Qualifications

-No state recommended salary schedule for staff.
-Minimum age requirements: 21 years for director; 18 years for all other staff except 16/17 for aides when under the direct supervision of another qualified adult staff (Never left alone with children).
-Compliance with ADA in staff hiring involves informing the center of regulations and checking compliance.

Staff Prescreening

-Fingerprinting required for criminal records background check; medical examination with either TB skin test or chest x-ray required initially and every three years thereafter; no recent change in TB screening policy.
-Crimes that prohibit employment: under state police law, not under the jurisdiction of the licensing bureau.
-Not required - AIDS and alcohol test, Hib and measles immunizations.
-Conditional hiring not allowed.
-Written references required on all staff.
-Requirements for substitutes same as full-time staff.

Staff Training

-A combination of educational background and experience required for all center directors; none required for other staff.
-All staff required to participate in a one day orientation to the center

followed by 4 days of supervised work with children; quarterly in-service training by center staff or director.

- All staff in Class A licensed centers must obtain 12 hours of training per year in areas of child growth and development; child care programming and activities; health and safety; discipline and guidance techniques; recognizing symptoms of abuse and neglect; design and use of space; working with parents nutrition; etc. (Not required in Class B licensed centers).
- No special training required for infant care, care of children with disabilities, or drop-in care, but may be a part of the 12 hours of training above.

Child Documentation Policy

- Child Information Form must be completed with medical and health record showing inoculations; transportation permission slip; third party pick up permission information; statement concerning emergency medical care, etc.
- No provision for prescreening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

- Enrolled children required to be current in all immunizations, including Hib immunization.

Discipline Policy

- Corporal punishment not allowed in Class A centers; allowed with parental written permission for Class B centers.

Emergency Medical Consent Policy

- Required, but does not have to be notarized.

Environmental Policy

- No information provided about the testing of facilities for lead, radon or asbestos.

National Life Safety Fire Code Policy

- Centers must meet Code regulations.

Regulatory Process Subcontracting Policy

- LA does not subcontract any or all of the child care regulatory process to a public or private agency/organization.

Smoking Policy

- Class A Centers: Smoking not allowed in building; smoking is allowed on grounds only if no children are present.
- Class B Centers: Smoking is allowed in designated areas only away from the children and food.

Swimming Pool Policy

- Guidelines include: Chlorine level and PH tested; PH maintained between 7.2 and 8.2; pools enclosed by fence at least 5 feet high with no openings greater than 3 1/2 inches; water temperature between 82 degrees F and 93 degrees F.

(Requirements of the Office of Public Health.)
-Child/staff ratio not affected.
-Staff required to have Water Safety training; applies to Class A only.

Transportation Policy

-Staff must hold valid LA driver's license; carry liability insurance on the vehicle; vehicle in good working order; driver may not leave the vehicle unattended when children are present; applies to Class A only.

Drop-In Child Care

-"Drop-in" child care is regulated only if the center meets the legal definition of a day care facility.

Infant Care Programs

-Infants must be held while feeding; infants may not remain in cribs or beds or carry-alls for more than 30 minutes while awake; staff ratio of 1:6 required; proper techniques must be followed for diaper changing and handwashing.
-Number of "infants only" centers unknown.

Overnight Care Programs

-Regulations for overnight care require proper bedding; proper staff (with at least 2 regardless of number of children); boys and girls over 6 years of age do not sleep in the same room; applies to Class A only.
-Approximately 96 centers provide overnight care.

Programs for Children with Disabilities

-Mainstreaming encouraged.
-Compliance with ADA in providing services to children involves informing center of regulations and checking compliance.

School Age Programs

-No separate regulations exist.

Sick Child Care Programs

-Separate regulations for Class A only.

Subsidized Programs

-Available only in Class A licensed centers.

Reporting Child Abuse and Neglect

-Complaints investigated by Child Protection Agency.

Local Contacts

-Licensing information, D.S.S. Bureau of Licensing, P.O. Box 3078, Baton Rouge, Louisiana 70821 (504) 922-0015.
-Child abuse, local Child Protection Agency.

New or Pending Legislation

-Implementation of new regulations for Class A sites in March 1999.

MAINE (ME)

Information
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Division of Licensing, ACL
Department of Human Services
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Augusta, ME 04333
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FAX: (207) 287-5282

Number and Definition of Regulated Programs

-**613** licensed centers; includes religiously affiliated centers.
-**291** Nursery/schools licensed separately.

Requirements

-License required; preapproval inspection required.
-Licenses are renewed annually; $80 license fee; fees are used to offset cost of fire inspection conducted by State Fire Marshal.
-Separate inspection required biannually by Fire Marshal; building code inspection required if municipality requires it.
-General liability insurance required; professional liability insurance not required.
-Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - sufficient for safe play.
-Staff/child ratios: infants - 1:4; toddlers - 1:5; 2 1/2 to 3 year olds - 1:8; 3 to 6 year olds - 1:10; school age - 1:10; mixed age groups - determined by age of youngest child in group.
-Naptime staff/child ratios: same as above; no change.
-Group size delineations: 6 weeks to 12-15 months (maximum group size - 12); 12-15 months to 33-36 months (maximum group size - 15); 30 months to 6 years (maximum group size - 24); 36 months to 6 years (maximum group size - 30); and 6 years to 15 years (no maximum); when there is a combination of ages within a group, the group size shall be determined on the basis of the age of the youngest child.
-A staff member with CPR/first aid training must be present.

Unannounced Inspection Policy

-All visits unannounced, with some exceptions, such as the initial walk-through.

Complaint Procedure

- No specific policies that require immediate closing of a center; decided case-by-case basis or court-ordered emergency suspension.
- Warning only cases are decided on a case-by-case basis.
- Center compliance time depends on the compliance issue.
- Resource and referral agencies notified if a center license is terminated.
- All complaints registered against centers are responded to; Maine DHS has an abuse investigation unit for facilities.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Minimum age requirement for director is 21; minimum age requirement for other center staff is 18.
- No information provided regarding compliance with ADA in staff hiring.

Staff Prescreening

- Staff prescreening required for criminal records background check, child abuse clearance, and measles immunization.
- No "barrier" crimes have been established by law or policy, violent crimes against children would cause denial or revocation of licensure.
- Not required: Fingerprinting, TB skin test, medical exam, chest x-ray, AIDS test, Hib immunization, drug and alcohol tests; TB prescreening policy has not recently changed.
- Conditional hiring prior to results of prescreening is allowed.
- 3 written references required for director.
- Licensed facility responsible for the actions of substitutes in the same way that it is for other staff.

Staff Training

- Preservice education and/or experience required for center directors and lead/head teachers; kindergarten programs within centers must have certified teachers; assistant teachers, teacher aides, or the dietician and kitchen staff --no requirements.
- Annual in-service training required; 24 hours/year for staff working more than 20 hours/week, 12 hours/year for staff working under 20 hours/week.
- No special training required for infant care, care of children with disabilities, sick child care, or drop in care.

Child Documentation Policy

- The facility must obtain information specified in rules regarding health, immunizations, parent information, authorization for emergency medical care and others.
- No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

- Enrolled children are required to be immunized, including the Hib immunization. The center must meet standards set by the State Immunization Program: (207) 287-3746.

Discipline Policy

-Corporal punishment is not allowed; other prohibited practices: sexual abuse, lack of supervision, neglect, withholding food and drink, derogatory remarks to or about children or parents, name calling, shaming or embarrassment, unusual confinement.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-In 1998, as a condition of licensure, centers may be required to test their environment for lead; no provision for asbestos or radon; records will be kept.

-There is state financial assistance for the inspection of child care facilities for lead, but not for remediation.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontracting Policy

-ME does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; licensing has always been viewed as a basic responsibility of State government.

Smoking Policy

-Smoking is prohibited in the facility when children are present.

Swimming Pool Policy

-Guidelines for swimming pools: must be cleaned daily and protected to prevent access without supervision.

-Child/staff ratio not affected.

-Staff are required to have Red Cross or other approved lifesaving training.

Transportation Policy

-Rules related to centers operating their own vehicles.

Drop-In Child Care

-"Occasional care" or "drop-in" child care is regulated like other forms of child care.

Infant Care Programs

-Separate section in regulations for centers which service infants.

-No information given regarding centers which provide care to "infants only."

Overnight Care Programs

-No special regulations exist for centers providing overnight care.

-Centers do provide overnight care, but exact number is unknown.

Programs for Children with Disabilities

-Center must offer appropriately trained staff for the child.

-Compliance with ADA in providing services to children is done according to the individual needs of the child.

School Age Care Programs
-Separate rules related to activities for before and after school programs exist.

Sick Child Care Programs
-No separate regulations.

Subsidized Programs
-Contact Division of Purchased Services: (207) 287-5060.

Reporting Child Abuse and Neglect
-Contact (800) 452-1999.

Local Contacts
-There are regional DHS offices for Social Service delivery; child care licensing is administered from central administrative office.

New or Pending Legislation
-Proposals for: increased use of fines as an enforcement tool; administrative suspension of licenses; clarification of some definitions; "temporary" licensure in certain situations.

MARYLAND (MD)

Information Supplied by:	Ina Jorge Director, Office of Licensing Child Care Administration Department of Human Resources 311 W. Saratoga St., 1st. Floor Baltimore, MD 21201 PHONE: (410) 767-7805 or 7810 FAX: (410) 333-8699

Number and Definition of Regulated Programs

- **2,284** licensed centers (includes nursery schools, prekindergartens, and religiously affiliated centers).
- Nursery schools and prekindergartens receive certificates from the State Board of Education, 200 W. Baltimore Street, Baltimore, MD 21201 stating approval for educational programs and receive licenses from the Child Care Administration.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed annually; no license fee.
- Fire safety initially and annually thereafter; building code inspections required initially and when changes to the structure housing the center; zoning approval required.
- General liability and professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft. (if licensed prior to 12/1/71, 30 sq. ft.); no outdoor.
- Staff/child ratios: infants - 1:3; young toddlers 1:3; two year olds - 1:6; preschool - 1:10; school age - 1:15; mixed age groups - varies by ages.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: two years olds (maximum group size - 12); 3 or 4 year olds (maximum group size - 20); and 5 years and older (maximum group size - 30); mixed age group of preschoolers (maximum group size - 20); a maximum of 6 two year olds may be in a mixed age group of 13-20 children. For MD Department of Education Approved Educational Programs: two year olds (maximum group size - 12); 3 year olds (maximum group size - 24); and 4 year olds (maximum group size - 30); when 2, 3, 4, and 5 year old children are grouped together in mixed groups, the average age as of December 31 of that school year is used for determining group size. Group sizes for all ages may vary during outdoor play and special activities such as field trips and assemblies, only if the operator maintains the staff/child ratios required.

-Center must have at least one staff person on duty at all times with current CPR and first aid training certificate, including on field trips.

Unannounced Inspection Policy

-Complaint investigation inspections and compliance monitoring inspections are unannounced. Initial licensing and relicensing inspections are announced.

Complaint Procedure

-No policies that require immediate closing of a day care center, although health officers retain authority to order closure if public health emergency; emergency suspensions require operations cease within 72 hours of receiving the notice.
-Noncompliance situations where children are not in jeopardy require a warning, which may be followed for chronic violations, denial of renewal, or revocation.
-Provisional licenses may be issued for up to 6 months.
-Resource and referral agencies are notified in writing immediately when a center is closed.
-All complaints both written and oral that relate to the violation of a regulation, including anonymous complaints, shall be investigated and a written report of the findings prepared.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age for director is 21; group leaders and senior staff is 20; aides and substitute aides is 16; other substitutes is 18.
-Compliance with ADA in staff hiring: Child care center licensing regulations do not enforce ADA; however, federal regulations require compliance by centers and centers are held accountable through the use and occupancy office, the fire marshal's office, and EEOC.

Staff Prescreening

-Child abuse clearances required for directors, operators, owners, and board members who have access to children; FBI fingerprinting required for all one time; criminal records background check required each time employee changes employment; medical examination required within six months of employment and only once if there is no gap in employment.
-All paid employees, including paid substitutes, who will care for, supervise, or have access to children in care must undergo a criminal background investigation.
-Crimes that prohibit employment: No specific crime serves as an automatic bar to licensure, but certain crimes may serve as a bar:sexual offenses, drug offenses, felonies and abuse and neglect; each case is evaluated on an individual basis.
-TB skin test and chest X-ray required only if indicated or required by the local health officer; no recent change in TB screening policy.
-Before starting work, staff must submit a medical evaluation which was completed within 6 months of start date.
-Not required - Hib and measles immunizations for staff in licensed child day care centers; however, employment medical report recommends a review of immunization status.
-Not required - AIDS, drug, and alcohol tests.

-Conditional hiring not allowed prior to results of prescreening.
-Written references not required.
-Temporary substitutes for aide must be 16 years of age, other substitutes should be at least 18 years of age and comply with regulations pertaining to criminal background investigations and a written medical report.

Staff Training
-Preservice education and/or experience required for center directors, lead teachers and school age group leaders; no requirements for aides, dietician or kitchen staff.
-6 clock hours of in-service training required annually for directors; 3 clock hours for group leaders and senior staff.
-Special training required for infants and toddlers (3 semester hours); no special training required for the care of children with disabilities, sick child care, or drop in care.

Child Documentation Policy
-Center must have on file for every child: emergency medical permission, written health report, record of immunizations, daily attendance.
-Center must have on file for infants and toddlers a written individualized schedule that addresses each child's normal pattern of activities such as sleeping and eating. These schedules must also be posted in the care area for daily reference and re-evaluated by parent and staff every 2 months.
-Children must be screened for lead within 30 days from acceptance into a licensed child care program.

Child Immunization Policy
-No child may be admitted to or retained in care without having all age-appropriate immunizations.
-Regarding the Hib immunization, children 2 to 59 months are required to receive HIB vaccines; no Hib vaccines are required for children 60 months or older; Hepatitis B vaccine is required for those enrollees born on or after 4/1/94.

Discipline Policy
-No form of corporal punishment may be used; a child may not be subjected to any injurious treatment or discipline methods which create undue discomfort or mental distress.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-As a condition of licensure, centers must be tested for lead; records on file.
-Regulations prohibit a center operator from using any paint containing lead on any structural surfaces, equipment or furnishings; toys must be free of lead paint.
-Deteriorated paint must be tested for lead prior to any repair or treatment.
-Lead testing must be performed on surfaces to be renovated in centers.
-A child care center may be required to test for asbestos or radon if there is reason to believe a problem may exist.

-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has been adopted; required fire control equipment and fire escapes in case of fire and other emergency.

Regulatory Process Subcontracting Policy

-MD does not subcontract any of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited in all public places in the state (except bars) including child care facilities.

Swimming Pool Policy

-Guidelines include: Prior written approval from a child's parent on a form approved by the Child Care Administration; continuous staff supervision is required for wading area 4 feet or less in depth; lifeguard holding American Red Cross Advanced Life Safety Certificate or YMCA Senior Life Saver for depth of water exceeding 4 feet. Lifeguard shall be at waterside and not included in required staff/child ratio; one-to-one staff/child ratio must be maintained if water is over child's chest and child cannot swim. An exception is swimming lessons approved by American Red Cross.

-A center may only use swimming facilities meeting applicable local standards of health, sanitation and safety.

-Child/staff ratio is affected: one-to-one ratio for each child who cannot swim and the water is over the child's chest.

-Staff not required to have Red Cross lifesaving training: When depth of water exceeds 4 feet, a lifeguard with above qualifications must be present.

Transportation Policy

-Regulations concerning the transportation of children are administered by the Motor Vehicles Administration of the Dept. of Transportation.

Drop-In Child Care

-"Drop-in" child care is regulated. A drop-in center is defined as a center that provides care to children on an intermittent and occasional basis for less than 4 hours a day while parents are not on the same premises or not immediately available. This includes, but is not limited to, places such as shopping malls or resorts. Drop-in centers must comply with center regulations, but are exempt from: outdoor play/space requirements, certain admission requirements and food services. All children must be over the age of 2 years, parents must attest to the health of the child, staff must practice emergency procedures monthly, methods of release of children must be defined, and a plan (with information about the children being served, the center, and operation hours) must be submitted for approval.

Infant Care Programs

- Separate section in the regulations dealing with infants.
- "Infant only" child care centers provide care to children under 2 years of age.
- Currently, CCA is unable to provide the number of "infant only" centers; however, there are approximately 2,950 infant "slots" in all child care centers throughout Maryland.

Overnight Care Programs

- There are no regulations for overnight care by child care centers; however, a center must request approval from CCA prior to providing overnight care and submit a written plan of operation to be approved by CCA.
- One center provides overnight care in Maryland.

Programs for Children with Disabilities

- Regulations have been amended to be more consistent with ADA requirements. Provisions which previously applied only to children with disabilities have been revised to reflect general applicability to all children in care.
- Caregivers are given a copy of ADA information and resources.

School Age Care Programs

- No separate regulations exist. Specific regulations for school age care are included in child care center licensing regulations.

Sick Child Care Programs

- A section of the regulations is devoted to requirements for centers caring for children with acute illnesses. Those regulations address additional training requirements for the director and staff, use of a health consultant, infection control procedures, and requirements for an approved plan of operation and a plan for each child.

Subsidized Programs

- Contact Linda Zang, Child Care Administration, Office of Program Development, 311 W. Saratoga St., 1st Floor, Baltimore, MD 21201; (410) 767-7813.

Reporting Child Abuse and Neglect

- Call Department of Human Resources (DHR): (410) 767-7758 or Child Protective Services (410) 767-6519; or call local DSS offices between 8:30 AM - 4:30 PM.

Local Contacts

- The Child Care Administration has 13 regional and 2 field offices:
  - Region I: 100 Community Place, Rm. 2500, Crownsville, MD 21032; (410) 514-7850.
  - Region II: 2701 N. Charles St., 3rd Fl, Baltimore, MD 21218; (410) 554-0457.
  - Region III: 409 Washington Ave., Ste. LL-8, Towson, MD 21204-4907; (410) 321-2216.
  - Region IV: 807 Brightseat Rd., Landover, MD 20785; (301) 499-3600.
  - Region V: 51 Monroe Street, Ste. 200, Rockville, MD 20850; (301) 294-0344.

-Region VI: 3300 N. Ridge Rd., Ste. 190, Ellicott City, MD 21043; (410) 750-8770.
-Region VII: 6 W. Washington St., Hagerstown, MD 21741; (301) 791-4585.
3 Pershing St., Cumberland, MD 21502; (301) 777-2385.
215 S. Third St., Oakland, MD 21550; (301) 334-3426.
-Region VIII: 301 Bay St., Ste. 3-5, Easton, MD 21601 (410) 819-5801.
-Region IX: 201 Baptist St., Ste. 32, Multi-Service Bldg., 2nd Fl., Salisbury, MD 21801; (410) 543-6731
-Region X: 32 Courthouse Dr., Leonardtown, MD 20650; (301) 475-3770.
-Region XI: 413 W. Bel Air Ave., Ste. 106, Aberdeen, MD 21001; (410) 272-5358.
-Region XII: 7470 New Technology Way, Ste. P, Frederick, MD 21701; (301) 696-9766
-Region XIII: 1004 Littlestown Pike, Westminster, MD 21158; (410) 751-5438.

New or Pending Legislation

-None.

MASSACHUSETTS (MA)

Information
Supplied by: Philip Baimas
Office for Child Care Services
1 Ashburton Place
Boston, MA 02108
PHONE: (617) 626-2000
FAX: (617) 626-2028

Number and Definition of Regulated Programs

-**2,295** licensed centers.

-Nursery schools, prekindergartens, Head Start programs, and religiously affiliated centers are included in the number; some private educational systems provide exempt care by statutory definition; these exempted centers are approved by their local school departments.

Requirements

-License required; preapproval inspection required.

-Provisional licenses are renewed every 6 months; regular licenses are renewed every 2 years.

-License fees: for 2 year license: capacity of 1-39 - $200, capacity of 40+ - $300; for 6 month license: capacity of 1-39 - $150, capacity of 40+ - $250; capacity change with regular license - $50, capacity change with provisional license - no charge; limited school age license - $50.

-Building code inspection required annually; Local Health Dept. inspection required annually for programs serving hot meals to 13 or more children; lead paint inspection for new centers unless recently built; well water test (required with license renewal every 2 years) and fire safety inspection required in some communities.

-General liability or professional liability not required.

-Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft. of activity space per child; outdoor - 75 sq. ft. (per child using it); with outdoor space it is permissible to rotate groups of children through the space.

-Staff/child ratios: infants - 1:3 and 2:4-7; toddlers - 1:4 and 2:5-9; preschool 1:10 (full day center), 1:12 (half day center); school age - 1:13; mixed age groups: infants up to 2 yrs./9 mos. - 1:3 and 2:4-9 (maximum of 3 infants in a group); toddler/preschool (15 mos - 7 years) - 1:5 and 2:6-9; 2 yrs./9 mos. to 7 yrs. - 1:10 and 2:11-20; kindergarten (4 yrs./9 mos. - 7 yrs) - 1:15 and 2:16-30.

-Naptime staff/child ratios: same as above; no change.

-Group size delineations: infants < 15 months (maximum group size - 7); toddlers > 15 months < 33 months (maximum group size - 9); preschoolers > 33 months < 57 months (maximum group size - 20); preschoolers < 33 mos. > 84 mos. (maximum group size - 20); kindergartners > 57 mos. < 84 mos. (maximum group size - 30); and mixed infant/toddler or toddler/preschool (maximum group size - 9).
-One CPR trained person for children on the premises when children are present; all training must be kept current.

Unannounced Inspection Policy

-New centers receive at least one unannounced visit during the first six months of operation; most complaints are investigated through unannounced visits.
-Centers also receive as many health and safety visits unannounced as possible, depending upon the number of licensing staff.

Complaint Procedure

-Routinely the director is advised of noncompliances found during the exit interview and again in writing; more serious response is the exception.
-Authorized to close centers on an emergency basis or to issue notice of intent to close with the program remaining open through the appeal process.
-Unless immediate compliance is necessary, the center proposes a reasonable method and time frame for compliance.
-Resource and referral agencies are notified of legal action taken against centers.
-Complaints registered against centers are written on specific form and assigned for follow-up.
-Complaints are tracked by data base.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for teacher level and above is 21 with a high school diploma; minimum age for teacher aide is 16.
-Compliance with ADA in staff hiring: All new and moving centers must be physically accessible; all staff must receive in-service training on disabilities; programs must make reasonable accommodations.

Staff Prescreening

-Center staff required to be prescreened by criminal records background check if they have the potential for unsupervised contact with children (access to any area where children may be); requires a certification from a physical: negative Mantoux TB test in accordance with current public health law; medical examination is required every 2 years; MMR immunity is required; no recent changes in the TB screening policy.
-All criminal records checks and child abuse and neglect checks go outside state lines.
-Crimes that prohibit employment: crimes related to abuse, neglect, violence and substance abuse; evaluated in a case by case basis.
-Not required - fingerprinting, child abuse clearance, AIDS test, Hib immunization, and drug and alcohol tests.
-Conditional hiring is not allowed.
-Center administrator must document telephone reference checks.

-If a temporary substitute is required for staff/child ratios, all regulations apply for temporary substitute.

Staff Training

-Preservice education and training and/or experience required for center directors and teachers, and orientation required for all staff prior to being responsible for a group of children, directors: 4-7 courses and 18-42 months of experience (depending upon degree and center size), teachers: course and 3-9 months experience (depending upon degree); no requirements for assistant teachers, dietician or kitchen staff.

-20 hours annual in-service training required for center staff, with at least 25% in the area of children with disabilities.

-First aid training is required within 6 months of employment for all direct care staff and non-teaching administrators.

-Special training required for infant/toddler care; each center must have a health care consultant.

Child Documentation Policy

-Specific state guidelines for child enrollment exist.

-For children under the age of 6 years, but not less than 9 months of age, the licensee shall admit a child to the center only if provided with a statement signed by a physician or an employee of a health care agency stating that the child has been screened for lead poisoning; for all children admitted to care prior to 9 months of age, the licensee shall obtain within one month after the child turns 9 months of age a statement signed by a physician or an employee of a health care agency stating that the child has been screened for lead poisoning.

Child Immunization Policy

-Enrolled children are required to be immunized, including the Hib immunization; periodicity schedule developed by MA Dept. of Public Health in conjunction with Centers for Disease Control.

Discipline Policy

-Center must have a written policy posted and provided to parents and to staff.

-Corporal punishment is prohibited. No denial of food; no punishment for soiling or wetting; no harsh/humiliating verbal abuse.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

-Consent must be updated annually.

Environmental Policy

-The licensee of a child care center shall assure that paint used in the center is lead free and provide evidence of a lead paint inspection as a condition of licensure; no requirement for radon or asbestos.

-There is no state financial assistance available for inspection or remediation in child care centers for lead, radon or asbestos.

National Life Safety Fire Code Policy
-No information available.

Regulatory Process Subcontracting Policy
-MA does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; it has not been considered.

Smoking Policy
-Smoking is not permitted in areas used by children during hours that children are in attendance.

Swimming Pool Policy
-Local Health Departments apply swimming pool regulations.
-Child/staff ratios or staff requirement of Red Cross or other lifesaving training is not addressed in standards.

Transportation Policy
-Regulations concerning the transportation of children include a written plan and vehicle and driver requirements and compliance with school bus laws under Registry of Motor Vehicles.

Drop-In Child Care
-"Drop-in" child care is not regulated. Drop-in care is evaluated to assure that it is exempt from licensing.

Infant Care Programs
-Specific differences within general regulations for infant age category.
-Centers can provide care to "infants only," defined as 1-15 months.

Overnight Care Programs
-State licenses overnight care as a pilot or demonstration project.
-No information regarding number of centers providing overnight care; they do have centers licensed to provide care for more than one shift or care for extended hours.

Programs for Children with Disabilities
-Regulations updated in March, 1992, incorporated standards for care of children with disabilities in all centers. Provisions for physical accessibility of space used by new programs and programs that move.
-In addition to above, compliance with ADA in providing services for children involves staff receiving in-service training on disabilities. Programs must make reasonable accommodations.

School Age Care Programs
-Separate regulations for before/after school programs included in as a specific section in child care center regulations.

Sick Child Care Programs
-Regulations encourage the care of mildly ill children at centers and put in place infection control procedures for all centers.

Subsidized Programs
-Available in form of both contracts and vouchers to families who meet certain income and service need requirements; contact the Office of Child Care Services: (617) 626-2000.

Reporting Child Abuse and Neglect
-Contact the Department of Social Services; (617) 727-0900. All child care center staff and licensors are mandated by law to report suspected abuse or neglect.

Local Contacts
-Region 1: Springfield Regional Office
15 Mulberry Street
Springfield, MA 01105
(413) 784-1227

-Region 2: Westboro Regional Office
180 Turnpike Road
Westboro, MA 01581
(508) 871-7181

-Region 3: Beverly Regional Office
66 Cherry Hill Drive, Suite 100
Beverly, MA 01905
(617) 727-6852

-Region 4: Lakeville Regional Office
109 Rhode Island Road
Lakeville, MA 02347
(617) 727-1444 (within Boston)
(508) 947-1133

-Region 5: Boston Regional Office
50 Ross Way
Quincy, MA 02169
(617) 472-2784

New or Pending Legislation
-OCCS is currently working to expand the supply of subsidized child care.

MICHIGAN (MI)

Information Supplied by:

Ted de Wolf, Director
DSS, Bureau of Regulatory Services
Division of Child Day Care Licensing
7109 W. Saginaw
P.O. Box 30657
Lansing, MI 48909-8150
PHONE: (517) 373-8300
FAX: (517) 335-6121

Number and Definition of Regulated Programs

- **4,746** licensed centers.
- Nursery schools, prekindergartens and religiously affiliated programs are included in this number; exception if parents are immediately available, licensing not required.

Requirements

- License required for private sector programs, approval required for governmental programs; preapproval inspection required.
- Licenses are renewed every 2 years; license fee required - $50 to $80 depending on licensed capacity; renewal fee is $25 to $40 depending on licensed capacity.
- Fire safety inspection required by a qualified fire inspector with initial licensure, when there are any structural changes, and with the addition of new child-used areas.
- General liability or professional insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 50 sq. ft. (for 2 wks. to 2 1/2 yrs.); 35 sq. ft. (for 2 1/2 yrs. and up); outdoor - 1200 sq. ft. with children in attendance more than 5 hours.
- Staff/child ratios: infants (up to 30 months) - 1:4; 2 1/2 to 3 years old - 1:10; 4 to 5 years old - 1:12; 6 to 12 years old - 1:20; 13 to 17 years old - 1:30; mixed age group (go to lowest age group for ratio).
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: none.
- One person, certified in first aid and age-appropriate CPR, must be on duty while the facility is in operation.

Unannounced Inspection Policy

- Unannounced visits may occur as part of a complaint investigation or during follow up to previously cited noncompliance when areas of concern include staff ratios, numbers of children, etc.

-Statutory required interim visits are conducted unannounced.

Complaint Procedure

-Policies that require immediate closing of a center exist.
-Non life-threatening violations require only a warning, with the expectation of compliance.
-Center has up to two years with 4 provisional licenses if moving towards compliance.
-Resource and referral agencies are notified when a center is closed through a copy of licensing print out containing names etc.
-Complaints are responded to in person or by phone call to determine the seriousness of the complaint; have developed guidelines; licensing consultant also handles abuse/neglect rather than protective services.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for center staff is 18; 17 acceptable if satisfactorily completed 1 year vocational-occupational child care training approved by Dept. of Education.
-Compliance with the ADA in staff hiring is enforced and monitored by the Dept. of Consumer and Industry Services. P.A. 116 does not give the authority to enforce the ADA Act.

Staff Prescreening

-Center director required to be prescreened by child abuse clearance; TB clearance, criminal records background check, and medical examination required for all staff; no recent changes in TB screening policy.
-Crimes that prohibit employment: child abuse and neglect history, felonies, certain misdemeanors; individuals convicted of these crimes are not automatically refused employment, situations are evaluated on a case by case basis.
-Not required - fingerprinting, HIB and measles immunizations, AIDS, drug and alcohol.
-Conditional hiring for directors prior to results of prescreening is generally not allowed.
-Centers are required to screen center staff for suitability.
-No policies regarding the requirements for temporary substitutes.

Staff Training

-All center staff must be of responsible character and suitable to meet the needs of children; center director required to have preservice education (CDA or 60 semester hours) with 12 hours in child development, child psychology, or early childhood education.
-Annual in-service training not required.
-CPR/first aid not a separate training requirement.
-No special training for infant care, care for children with disabilities, sick child care, or drop in care.

Child Documentation Policy

-Child immunization record, child information card, emergency medical care card, medical examination, and written instructions from parents for any medications are required to be on record.

-No provision for screening children for blood lead level prior to acceptance into licensed child care program.

Child Immunization Policy

-Enrolled children must have the Hib immunization, as required by DPH.

-Only exception to immunization requirement for religious beliefs.

-All children, age two months and older, who attend preschool programs or licensed child care centers are required to have at least one dose of hepatitis B vaccine (complete immunization takes 3 doses).

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.

-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy

-Has not been adopted.

Regulatory Process Subcontracting Policy

-MI does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited in all child care facilities.

Swimming Pool Policy

-Guidelines require pools to be constructed and operated in compliance with Act 368, P.A. 19:78.

-Child/staff ratio is affected: For non-swimmers over 2 1/2, chest height: 1 to 4, above chest height: 1 to 1; For swimmers, 2 1/2 - 3: 1 to 10, 4 - 5: 1 to 12, 6 - 12: 1 to 12.

-The lifeguard is the only individual required to have training by Red Cross, YMCA, or basic lifeguarding.

Transportation Policy

-Regulations concerning the transportation of children exist.

Drop-In Child Care

-"Drop-in" child care is regulated. "Drop-in centers" are defined as a child care center, or an autonomous program within a child care center, that provides care for children 2 weeks of age and older on an intermittent basis, exclusively. "Intermittent care of children" means: care for a period of not more than 4 hours' duration within a 24-hour period, care for a specific child for not more than 3 consecutive days and care for a specific child for not more than 6 accumulative days within a calendar month.

Infant Care Programs

-Additional regulations for centers which service infants and toddlers exist.

-There are centers providing care to "infants and toddlers only." Infant and toddlers means 2 weeks to 2 1/2 years.

-Data not immediately available for the number of "infant and toddlers only" centers. Very few centers provide care to "infants toddlers only."

Overnight Care Programs

-Special regulations include: separate area away from sleeping children where the child can engage in quiet activities; a bed and a mattress with a waterproof covering, of a size appropriate to the age of each child.

-Centers do provide overnight care, but exact number is unknown. Very few centers provide overnight care.

Programs for Children with Disabilities

-No separate regulations.

-Compliance with ADA in providing services to children is enforced and monitored by the Dept. of Consumer and Industry Services. P.A. 116 does not give the authority to enforce the ADA.

School Age Care Programs

-Provisions for Care of Children 6 years of age and older include:
The ratio of caregivers to children present at any one time in the center and during outdoor activities and field trips shall be based upon the following provisions:

a. For children 6 to 12 years of age, there shall be 1 caregiver for 20 children or a fraction thereof beyond the first 20, including children who are related to the staff and the licensee.
b. For children from 13 to 17 years of age, there shall be 1 caregiver for 30 children or a fraction thereof beyond the first 30, including children who are related to the staff and the licensee.

-A center shall provide a program that has opportunities for each child: to plan, carry out, and evaluate his or her own activities; to experience diversity of activities within the center, the neighborhood, and the total community; to participate in recreational activities, including sports appropriate to age.

Sick Child Care Programs

-No separate regulations for caring for sick children.

Subsidized Programs

-Contact Child Care Services, (517) 373-0356.

Reporting Child Abuse and Neglect

-In offices where staff are located or call central office and will be referred: (517) 373-8300.

Local Contacts

-Staff located in Alpena, Benton Harbor, Bloomfield Hills, Clinton Township, Detroit, Escanaba, Flint, Grandhaven, Grand Rapids, Holland, Kalamazoo/Portage, Lansing, Marquette, Midland, Mt. Pleasant, Muskegon, Saginaw, Sault Ste. Marie, Traverse City, and Upsilanti; for phone number and address of a specific local office, call: (517) 373-8300.

New or Pending Legislation

-None.

MINNESOTA (MN)

Information
Supplied by:
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St. Paul, MN 55155-3842
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Number and Definition of Regulated Programs

- **1,574** licensed centers.
- Nursery/preschools are not licensed separately.
- Number of licensed centers includes nursery schools, prekindergartens, school age and religiously affiliated centers.

Requirements

- License required; preapproval inspection required.
- Full day program licenses renewed every two years; 1/2 day program licenses renewed every 2 years; base fee for licensing plus amount per child for licensed capacity: $27 plus $3; money goes into the state's general fund.
- Separate inspections required initially by Fire and Health Departments and Building code.
- No general liability or professional liability insurance required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft; outdoor - 75 sq. ft.
- Staff/child ratio: infants - 1:4; toddlers - 1:7; preschool - 1:10; school age - 1:15; mixed age groups - ratio for youngest child present.
- Naptime staff/child ratios: Infants- same as above; less restrictive for other age groups.
- Group size delineations: infants (maximum group size - 8); toddlers (maximum group size - 14); preschoolers (maximum group size - 20); and school age (maximum group size - 30).
- Teachers and assistant teachers required to be trained in first aid; one person at center must be trained in CPR.
- Special additional regulations for drop-in centers.

Unannounced Inspection Policy

- Unannounced monitoring visits occur for licensing review, complaint investigations and reinspection.

Complaint Procedure

- Various options for negative action are available.
- Nature of complaint determines how long center has to come into compliance.
- Complaints registered against day care centers are investigated, correction action is ordered, and center is reinspected.

Staff Requirements

- No state recommended salary schedule for center staff.
- Minimum age requirement for center director, teacher, and assistant teacher is 18; minimum age requirement for aide is 16 (an aide under 18 years of age must be supervised at all times by a teacher or administrator.
- Compliance with ADA in staff hiring involves training sessions.

Staff Prescreening

- Criminal records background check and child abuse clearance required for center staff at initial employment; fingerprinting only required if person has a record of crime in or out of state.
- Criminal records checks and child abuse and neglect checks go outside of state lines only when there is reason to believe that a crime may have occurred. Routine checks are not done.
- Crimes that prohibit employment: no information available.
- Not required - TB skin test, chest x-ray, medical exam, AIDS test, Hib and measles immunizations, and drug and alcohol tests; policy regarding TB testing has not changed recently.
- Written references are not required.

Staff Training

- Preservice education and/or experience required for day care center directors, lead/head teachers, and assistant teachers; can qualify under a variety of options combining education and experience; only age requirement and orientation for teacher aides; no requirements for the dietician and kitchen staff.
- Cultural dynamics and disabilities training required for licensed child care center staff and shall include training in the cultural dynamics of early childhood development and child care; this training is designed to achieve outcomes for caregivers that include understanding and support of the importance of culture and differences in ability in children's identity development; understanding the awareness of cultural differences and similarities in working with children and their families; understanding and support of the needs of families and children with differences in ability; developing skills to help children develop unbiased attitudes about cultural differences and differences in ability; developing skills in culturally appropriate caregiving; and developing skills in appropriate caregiving for children of different abilities.
- 2% of hours employed required for participation in annual in-service training.
- No special training for infant care, sick child care, or drop-in care.

Child Documentation Policy

- Certain documents and records are required for child enrollment, i.e., registration, health summary, immunization, emergency information, etc.
- No provision for screening children for blood lead level prior to acceptance into licensed child care program.

-Children are not required to be screened for blood lead levels prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children are required to be immunized, including Hib immunization, which follow Dept. of Health requirements.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Testing of child care facilities for the presence of lead, radon or asbestos is not required as a condition of licensure.

National Life Safety Fire Code Policy
-Has been adopted.

Regulatory Process Subcontracting Policy
-MN does not subcontract any or all of the child care center regulatory process to a public or private agency/organization. There has been no discussion in this area; however, there is a group interested in having staff qualifications be separate from licensure.

Smoking Policy
-State Statute requires no smoking in centers.

Swimming Pool Policy
-Use only when supervised by someone with first aid and CPR in chlorinated pools.
-Child/staff ratio unaffected.
-Staff not required to have Red Cross lifesaving training.

Transportation Policy
-Regulations concerning the transportation of children exist.

Drop-In Child Care
-Regulations exist for "drop-in" care. Drop-in care and school age child care regulations fall under the same requirements, found in the Human Services Licensing Act (245 A).

Infant Care Programs
-Additional requirements appropriate for infants served.
-There are centers providing care to "infants only," defined as 6 weeks to 16 months.
-State only has a few "infant only" centers; unsure of the exact number.

Overnight Care Programs

-Regulations for overnight care are: requirements for mattresses.
-2 or 3 centers provide overnight care; unsure of exact numbers.

Programs for Children with Disabilities

-Additional requirements appropriate to ages of children served; also see additional requirements under "Staff Training" category.
-Compliance with ADA in providing services to children involves offering training sessions on ADA.

School Age Care Programs

-Separate regulations exist for school age child care. Minnesota Statute replaced Rule 3 in this area; requirements are similar.

Sick Child Care Programs

-Special additional regulations in the care of sick children exist.

Subsidized Programs

-Contact the Department of Children, Families and Learning: (651) 296-4059.

Reporting Child Abuse and Neglect

-Report to each county's child protection Director; local police; or DHS, Licensing Investigations Unit: (612) 296-3971.

Local Contacts

-3 of the 9 licensors live outside metro area and use their home as their office.

New or Pending Legislation

-None.

MISSISSIPPI (MS)

Information
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Division of Child Care
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Number and Definition of Regulated Programs

-**1,555** licensed centers.

-Included in the number are 21 half-day programs and 249 religiously affiliated centers.

Requirements

-License required; preapproval inspection required.

-Licenses are renewed annually; license fee ranges from $30 - $200; fees are used for program administration; also $50 application fee per site for new centers.

-Fire safety survey required annually; food service inspection required 2 times a year; building code inspection required in municipalities with building codes.

-General and professional liability insurance not required.

-Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft; maximum outdoor: 1/3 of capacity at any time.

-Staff/child ratios: Birth-11 months - 1:5; 1 year olds - 1:9; 2 year olds - 1:12; 3 year olds - 1:12-14; 4 year olds - 1:16; 5 year olds and up - 1:20; mixed age groups - ratio required for youngest child in group.

-Naptime staff/child ratios: with the exception of children under the age of 2, children may be under the direct supervision (staff in the same room) of 50% of the staff required above, provided the staff to child ration is maintained on the premises.

-Group size delineations: infants - 2 years (maximum group size: 10); 2-4 years (maximum group size: 14); 4-6 years (maximum group size: 20); 5-9 years (maximum group size: 20); 10-12 years (maximum group size: 25); and 5-12 years (maximum group size: 20); compliance with group sizes is not required during normal arrival and departure time periods.

-Procedures for the signing in and signing out of children must be established in each center.

Unannounced Inspection Policy

-Unannounced inspections take place in complaint investigations and as needed if facility has conditional/probational license. One unannounced visit per year.

Complaint Procedure

-Policies that require immediate closing of a center exist.
-Severity of violation sets limits for length of time center has to come into compliance.
-Resource and referral agencies are notified when a center is closed.
-Complaints registered against a center are responded to.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirements: director - 21 years; caregiver - 18 years; and caregiver assistant - 16 years.
-According to agency legal staff, child facilities comply with ADA as a public entity or facility; this agency does not regulate compliance.

Staff Prescreening

-Staff required to be prescreened by child abuse clearance and criminal background check; measles immunization required.
-All criminal records checks and child abuse and neglect checks go outside of state lines.
-Crimes that prohibit employment: sex crimes and all felony convictions.
-Not required - fingerprinting and Hib immunization.
-Center policy sets requirements for TB skin test, chest x-ray, medical examination, AIDS test, drug and alcohol tests; no recent changes in TB screening policy, but reinstatement of TB testing is being considered by the State Board.
-Centers require written references.
-Substitutes must meet qualifications for the position.
-No information on conditional hiring policy.

Staff Training

-Preservice education and experience required for center director: CDA and 2 years of experience, OR AA degree and 2 years of experience in licensed child care facility [beginning January 1, 2000]; current requirement regarding 4 years of experience is changed to "4 years of experience in a licensed facility."
-Preservice education and experience also required for lead/head teachers, assistant teachers, and teacher aides; service staff must have the same personal qualifications as required of other staff.
-15 hours of in-service training required for all staff, full and part time.
-Director must complete needs assessment and set priorities for infant, children with disabilities, sick child and drop-in care.
-CPR/first aid is a separate preservice and/or in-service training requirement.

Child Documentation Policy

-No specific state guidelines for child enrollment.
-No provision for screening children for blood lead level prior to acceptance into licensed child care program.

Child Immunization Policy
-Enrolled children must be immunized, including Hib.
-Infant immunizations must begin at 6 weeks with proper documentation; the exception: children enrolled at 4 weeks do not have to begin immunizations prior to entry; and with a doctor's authorization, immunizations may not begin until the infant is 8 weeks old.
-If, when a center is inspected or monitored, child immunization records are not up to date, a fine of $50 per child is levied on the center and that child is sent home until proper documentation has been secured; if after a few days another inspection or monitoring visit indicates the child(ren) were not sent home and the immunizations records are still not current, a fine of $100 per child is levied on the center and the center can be closed down.

Discipline Policy
-Corporal punishment is prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities where the presence of lead is suspected are required to be tested and/or encapsulated.
-Facilities are not required to be tested for the presence of lead or radon as a condition of licensure; however, if inspection suspects any of these conditions, testing/abatement is required.
-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Have adopted sections addressing child care/educational occupancy - mainly prohibit second floor occupancy, etc.
-For licensed facilities serving 13 or more children, commercial fire code apply; for facilities serving 6-12 children, residential fire codes apply.

Regulatory Process Subcontracting Policy
-MS does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is prohibited in child care facilities.
-Any use of tobacco products is prohibited.

Swimming Pool Policy
-Pools must have six foot fences, locked gates and staff be CPR/first aid/life safety certified.
-Child/staff ratio is affected; ratio and lifeguard(s) - number based on age and number of children.

Transportation Policy
-Special additional regulations exist.

Drop-In Child Care

-Regulations for "Hourly Child Care Facility": provides supervised, short term care in conjunction with a specific facility or business complex. Limited to 8 hours per stay, not to exceed 45 hours per calendar month.

Infant Care Programs

-No special regulations; no "infant only" centers.

Overnight Care Programs

-Special additional regulations regarding bathing, sleeping and meals.
-5 "overnight care" (24 hour) centers.

Programs for Children with Disabilities

-Mainstreaming is recommended; if a center provides care for children with special needs, they must meet the specific needs of each child.
-In compliance with ADA.

School Age Programs

-Information on before and after school programs included in overall child care regulations.

Sick Child Care Programs

-No separate regulations.

Subsidized Programs

-Contact Department of Human Services: (601) 354-0341.

Reporting Child Abuse and Neglect

-Call (800) 227-8000.

Local Contacts

-Contact county health departments and public health environmentalist.

New or Pending Legislation

-To be resubmitted in 1999: a request for new legislation to permit the sharing of information with parents about complaints that have been lodged against a particular center or whether that center has been on probation at any time; then let the parents make the choice with regard to placing their child in that facility or not.

MISSOURI (MO)

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Number and Definition of Regulated Programs

- **1,515** licensed child care centers.
- Number of licensed centers does not include nursery schools, half day programs, or facilities operated by religious organizations.

Requirements

- License required (for people caring for more than 4 unrelated children); preapproval inspection required.
- Licenses are renewed every 2 years; no fee; reinspection required for compliance with licensing rules, fire safety and sanitation.
- Separate inspections required annually by State Fire Marshal.
- General or professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.; newly licensed infant/toddler units - 45 sq. ft. per child.
- Staff/child ratios: infants/toddlers - 1:4; 2 year olds - 1:8; preschool 1:10; school age - 1:16.
- Naptime staff/child ratios: same as above; if more than 50 children, the director is not included in ratios except during naptime or on an emergency substitute basis.
- Group size delineations: infant care only; 8 infant/toddlers in a group; 16 2 year olds in a group.

Unannounced Inspection Policy

- Facilities are visited twice per year. Initial licensing and renewal visits are announced; all other supervisory visits are unannounced (3 unannounced visits in a 2 years licensure period). Normally, one of the visits is unannounced. They may be placed under close supervision and visited more often in some cases.

Complaint Procedure

-Facilities can be closed by an order of injunctive relief if there is evidence of imminent bodily harm.
-Licenses may be denied or revoked by the director of the Dept. of Health or designee. The DOH may also impose specific restrictions on a license in a settlement agreement.
-Length of time that center has to come into compliance determined by individual case-by-case basis.
-Complaints against a facility are investigated within 24 hours - 30 days, dependent upon the severity of the case. (Child abuse/neglect complaints are co-investigated with the Division of Family Services.)
-New proposed revisions of statutes allows the DOH to take more timely legal action against child care providers if the situation poses a threat to the health and safety of children.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for working in a facility is 18.
-Directors must have child related college credits and/or child care experience. Requirements increase as center capacity increases. No pre-employment education requirements for center staff.

Staff Prescreening

-Staff prescreening requires child abuse (CA/N) clearance; TB skin test and medical exam; TB test is required annually.
-Criminal records checks outside state lines are made in some cases; child abuse and neglect checks occasionally go outside state lines.
-Crimes that prohibit employment: MO is currently developing rules for criminal records checks.
-All staff must have a CA/N screening, TB and medical before initial licensure. New staff subsequently hired must have medical and TB test on file at the facility within 30 days. CA/N screenings must be requested within 10 days for new staff.
-Not required - fingerprinting, criminal records background check, Hib and measles immunizations, AIDS, drug and alcohol tests.
-No information available on conditional hiring.
-No written references required. Two references required for center owner/ director. The DOH is working on procedures for requiring criminal records to check on all individuals responsible for the care of children.
-No specific qualification requirements for substitutes.

Staff Training

-Preservice education and/or experience varies dependent on the size of the facility.
-12 hrs annual in-service training required for all staff in all types of facilities.
-No special training for infant care, care of children with disabilities, sick child care, or drop-in care.
-No training in CPR or First Aid required.

Child Documentation Policy

-Medical examination reports and an individualized plan for children with special needs must be on file; reports submitted to the Missouri Department of Health.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children are required to be immunized, including the Hib immunization; 20% of facilities are physically monitored for compliance through spot checks.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Written consent is required, but does not have to be notarized.

Environmental Policy

-Regulations require centers to use lead free paint for all painted surfaces, including child care equipment; no requirement for radon or asbestos, but visual observation for asbestos is part of inspection.

-Lead testing may be required by local ordinances or if chipping/peeling paint is observed. Sanitation inspections are required on yearly basis.

National Life Safety Fire Code

-Has not been adopted.

Regulatory Process Subcontracting Policy

-MO subcontracts fire safety inspections to the State Fire Marshal's Office and sanitation inspections to local health agencies.

Smoking Policy

-No smoking legislation has passed; implemented for religious facilities and nursery schools, but not for licensed facilities. Smoking is prohibited in child care; food preparation and food service areas.

Swimming Pool Policy

-Regulations include: Swimming and wading pools used by children shall be constructed, maintained, and used in a manner which safeguards the lives and health of the children; both types of pools require water filtration systems; both shall be fenced to prevent access by children, with fence at least 42" high and locked gate. Above-ground pools have 42" fence around the top of the pool with a barricade to steps of pool deck; children using both pools shall be instructed in water safety and supervised by an adult at all times.

-Child/staff ratios unaffected, remaining the same as for regular outdoor care.

-Staff required to have lifesaving training, specifically an adult with a current lifeguard training certificate, including infant/child CPR, shall be on duty at all times when swimming or wading pool containing a depth of 48" or more of water is being used; an adult who has completed a course in basic water safety, including infant/child CPR, shall be on duty when pool containing less than 48" of water is being used.

Transportation Policy

-Required by licensing rules: permission necessary by parent(s) for field trips, transportation to and from school, and other transportation; permission required for school-age children to leave the facility to participate in classes, clubs, or other activities, naming the activity, time of leaving and returning, and the method of transportation to and from the activity.
-Drivers must have a valid license and be at least 18 years old.
-Children cannot be transported in campers, trailers, or in the back of trucks.
-All children must be in permanent seat with appropriate restraints as required by law.
-Identifying information must be carried in the vehicle; and head counts must be taken at specific times.

Drop-In Child Care

-"Drop-in" child care is regulated by the state of MO. Drop-in care follows normal procedures, except hourly care is limited to 50 hours per month, outdoor play is not required, medical exams for children are not required and children may bring sack lunches.

Infant Care Programs

-Additional regulations for infant care.
-There are centers that provide care to "infants only," defined as 0-2 years.
-No information available regarding number of "infant only" day care centers in the state.

Overnight Care Policy

-Special regulations include: facilities providing overnight care on a regular basis must be licensed for that type of care; special effort shall be made by caregivers to individualize care at children's bedtime and awakening, including consultation with parent concerning child's particular behavior patterns at those times; if parents come to pick up their children at various hours during overnight care, room arrangements will take into consideration child's need for undisturbed sleep; toiletry items shall be individually marked with child's name; night-lights located in areas as required by individual children's needs; separate sleeping and dressing areas provided for school-age boys and girls; during sleeping hours, caregivers shall be in close proximity to sleeping areas in order to respond to children needing attention; one caregiver shall be awake at all times; adults on premises limited to staff, parents, or authorized individuals.
-Exact number of centers providing overnight care unavailable.

Programs for Children with Disabilities

-Center must have a specialized plan on file for children with disabilities; mainstreaming is not required.

School Age Care Programs

-No separate regulations for school-age care.

Sick Child Care Programs

-No separate rules.

Subsidized Programs

-Contact Division of Family Services, P.O. Box 88, Jefferson City, MO, 65103; (573) 751-3124.

Reporting Child Abuse and Neglect

-Child Abuse Hotline at (800) 392-3738.

-Child abuse/neglect reports regarding licensed centers are co-investigated by the Bureau of Child Care Safety and Licensure staff and the Division of Family Services Out of Home Investigations (OHI) Unit.

Local Contacts

-Department of Health, Bureau of Child Care Safety and Licensure.

New or Pending Legislation

-Proposed legislation will permit the Department of Health to take more timely action against providers who are in noncompliance with the statutes and rules, or who are endangering the health and safety of the children.

MONTANA (MT)

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Number and Definition of Regulated Programs

- **251** licensed centers.
- Nursery schools and prekindergartens are not licensed/regulated.
- Religiously affiliated centers, if providing "day care" as defined in the state code, must be licensed.

Requirements

- License required; preapproval inspection by Health Department, Fire Marshal and DPHHS day care staff required.
- Licenses are renewed annually; no fee.
- Separate inspections required annually by Fire & Health Departments.
- Generally liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft; outdoor - 75 sq. ft.
- Staff/child ratios: infants - 1:4; toddlers - 1:8; preschool - 1:10; school age 1-14.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: none.

Unannounced Inspection Policy

- Centers are visited twice a year with one visit unannounced.

Complaint Procedure

- Policies exist that require immediate closing of a center, if the children are in immediate danger.
- Resource and referral agencies notified if a center is closed; list of licensed/registered providers are shared frequently.
- Complaints are investigated as a first priority and as staffing permits.

Staff Qualifications

- -No state recommended salary schedule for center staff.
- -Minimum age requirement for center staff is 16 for an aide, and 18 for a primary caregiver; aide must be directly supervised by a primary caregiver.
- -Compliance with ADA in staff hiring not included in rules; however, facilities are bound simply by ADA itself.

Staff Prescreening

- -Center staff required to be prescreened by child abuse clearance, criminal records check, MMR and Td immunization and TB skin test; all caregivers must show results of TB test - must be tested at initial employment and upon exposure; drug and alcohol test can be requested if there is any question.
- -Criminal records checks and child abuse and neglect checks go outside of state lines.
- -Crimes that prohibit employment: any crimes which show harm (physical and sexual) to children or adults.
- -Not required - fingerprinting, chest x-ray, medical examination, AIDS test, and Hib immunization (for children under 5 only).
- -Conditional hiring is not allowed.
- -Written or verbal references are required.
- -No policy regarding the use of temporary substitutes.

Staff Training

- -Center director, lead/head teachers, and assistant teachers required to be at least 18 years old, BA in education or related field; AA degree in a related field and 1 year experience in child care or CDA or 3 years experience in child care. If director acts as caregiver, individual must meet qualifications as a primary caregiver (at least 18 years old and 2 years experience).
- -Teacher aides required to be at least 16 years old, and have 8 hours on-the-job training; no requirements for dietician and kitchen staff.
- -Must have 8 hours of training per year.
- -CPR/multimedia first aid is separate training requirement.
- -No special training required for infant care, care of children with disabilities, sick child care, or drop in care; although this training is not required by rule, the resource and referral organizations offer it on a regular basis.

Child Documentation Policy

- -Enrollment forms are used.
- -No provision for screening children for blood lead level prior to acceptance into licensed child care program.

Child Immunization Policy

- -All children required to be immunized, including Hib immunization. Hib is only required for children under 5 years of age.

Discipline Policy

- -No use of spanking or other forms of corporal punishment.

Emergency Medical Consent Policy

-Written consent required, but does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, lead or radon as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead; although providers can apply for competitive grants if such remediation is necessary.

National Life Safety Fire Code Policy

-Has not adopted code, but the Fire Department has jurisdiction over centers.

Regulatory Process Subcontracting Policy

-MT does not subcontract any or all of the child care center licensing process to a public or private agency/organization. Such an option was considered, but a study concluded that enforcement is the state's function and responsibility. The state cannot transfer the liability to a contractor.

Smoking Policy

-Smoking is prohibited in child care facilities at times when the children are in care.

Swimming Pool Policy

-Guidelines are the same as for other facilities--must be surrounded by fencing, sanitized, supervision by certified lifeguard.
-Child/staff ratios remain constant; not affected.
-Staff is required to have Red Cross lifesaving training.

Transportation Policy

-Written consent of parent is required for transporting children; vehicle must have safety restraints fastened when in motion and every child must be in a safety restraint when in the vehicle.

Drop-In Child Care

-"Drop-in" child care is not regulated.

Infant Care Programs

-Additional requirements exist for centers which service infants.
-Approximately 5 centers provide care to "infants only."
-Infant defined as birth to 2 years.

Overnight Care Programs

-Special regulations for overnight care: staff must remain awake; have plans which will provide for personal safety; offer a nutritious meal.
-It is estimated that 5-10 centers provide overnight care.

Programs for Children with Disabilities

-Compliance with ADA in providing services to children follows Department policy that cannot restrict care; CCDF funds can assist with building accommodations and grants to expand or improve services to children with disabilities.

School Age Care Programs

-Shall supplement and augment the child's activities at school and home; supervision for pursuits in crafts, sewing, etc.; provisions for outside activities; children to participate in making rules; parental involvement.

-Separate regulations do not exist; regulations are found within DCC rules.

Sick Child Care Programs

-Though not yet regulated, state is in the process of exploring this alternate type of care.

Subsidized Programs

-New programs as created by Child Care and Development Fund; contact Department of Public Health and Human Services, Child Care Unit; phone (406) 444-5900.

Reporting Child Abuse and Neglect

-Contact local Department of Public Health and Human Services, Family Service Programs.

Local Contacts

-Licensing staff located in district offices throughout the state.

New or Pending Legislation

-A proposal is being introduced to allow for extended licenses; 1, 2 and 3 year licenses would be offered.

NEBRASKA (NE)

Information
Supplied by:

Pat Urzedowski, Administrator
Resource Development and Support
Department of Health and Human Services
P.O. Box 95044
Lincoln, NE 68509
PHONE: (402) 471-9431
FAX: (402) 471-9455

Number and Definition of Regulated Programs

-**783** licensed centers, which includes prekindergartens and religiously affiliated centers, but not nursery schools.
-Centers are defined as 13 or more children.
-Preschools are regulated separately, but if a preschool program is offered in addition to caring for children, the program is licensed as a center; currently, there are 320 licensed preschool programs.

Requirements

-License required if you care for 4 or more children at any one time from families other than that of the provider; preapproval inspection required by Department of Health and Human Svs.; Fire Marshal and State Health Department.
-License issued are: provisional (1 year, first license providers receive) probationary (used when there is a problem with the facility) and nonexpiring operating license.
-A preservice orientation is required prior to any child care facility receiving an initial license.
-Separate inspections required every 2 years by Health and Fire Departments.
-No general liability or professional liability insurance required.
-Physical security of the child care center (i.e., security care system) is addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 50 sq. ft.; outdoor play area accommodates at least 25% of license capacity at one time.
-Staff/child ratios: infants - 1:4; toddlers - 1:6; preschool (3 years) - 1:10; preschool (4-5 years) - 1:12; school age - 1:15; mixed age groups - center wide ratio.
-Naptime staff/child ratios: one staff in rooms where children are napping, but remaining staff must remain on premises (can be doing tasks not specifically involving children); same staff/child ratios as above when children are awake.
-Group size delineations: none.
-One person with CPR and first aid must be present at all times.

Unannounced Inspection Policy

-All visits, except for initial licensing visits, are unannounced.
-Inspections are required of all child care programs a minimum of once a year; programs licensed for 30 or more children are required to be inspected twice a year.

Complaint Procedure

-Policy for an immediate closing of a day care center called "Emergency Closing Orders" for situations which pose immediate threat.
-All other regulation violations require recompliance within 30 days or shorter.
-Child Care Subsidy is notified if a center is closed or in serious non-compliance if that center is contracted with them; resource and referral agencies are notified as well as Child and Adult Care Food Program.
-Response within 5 days for complaints against licensed centers; 10 days for unlicensed ones.
-State requires the involvement of law enforcement and sets criminal sanctions for those who continue to provide illegal care after investigation by the Department.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Center director and teachers must be at least 19 years old; other support staff - 16 years old.

Staff Prescreening

-Required at the time of hiring: adult and child abuse registries clearance and medical self-disclosure required; voluntary criminal records background disclosure statement.
-All criminal records checks and child abuse and neglect checks do not go outside of state lines, unless information is available that would informa them of an arrest in another state.
-Crimes that prohibit employment: no information available.
-Not required - fingerprinting, TB skin test, chest x-ray, AIDS, Hib and measles immunizations, drug and alcohol tests; no recent change in TB screening policy.
-Conditional hiring is not allowed.
-Two references required for teachers and assistant teachers.
-Policy regarding the requirements for the use of substitutes - prior to hire, a felony/misdemeanor statement and adult and child abuse registries clearance.

Staff Training

-Directors and providers are required to attend/complete Departments' preservice orientation; not required for the dietician and kitchen staff; however, person responsible for menu planning must have 4 hours training in nutrition and food service the first year.
-12 clock hours in-service training is required annually.
-No special training is required for infant care, care of children with disabilities, sick child care or drop-in care.

Child Documentation Policy

-No state guidelines for child enrollment; child's records must include name of parent(s), address, phone number, emergency contacts, etc.

-No provision for screening children for blood lead level prior to acceptance into licensed child care program.

Child Immunization Policy

-Immunization of all children in child care (including Hib) required.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Written form required, but does not have to be notarized.

Environmental Policy

-Centers are not required to be tested for lead, radon, or asbestos as a condition of licensure.

-Only non-lead paint is allowed in rooms where food is stored or prepared.

-State does provide financial assistance for the inspection and remediation in child care facilities for lead; up to $600 in grant money is available.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontracting Policy

-NE does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; local Health Department in Lancaster County has indicated an interest in submitting a proposal for taking on the licensing of child care facilities in that county only, but not proposal has been specifically submitted.

Smoking Policy

-Smoking is prohibited in the presence of children; for centers that accept child care subsidy, smoking is prohibited on the premises.

Swimming Pool Policy

-Guidelines include: All centers with swimming pools on the center premises shall comply with the Nebraska Swimming Pool Act and its subsequent rules and regulations. Centers using swimming pools not on center premises shall determine that the pool is licensed by the Department of Health; if the depth of the water in the pool is over 4 feet, a person who has satisfactorily completed a senior course in life-saving sponsored by the Red Cross, Boy Scouts, Girl Scouts, YWCA, YMCA, or an institution of higher learning, shall be on duty at all times the pool is in use; the wading/swimming pool must be inaccessible to children in care when not in use by the center; the center shall not use natural bodies of water for swimming or wading activities.

-When a swimming or non-portable pool is in use (except in the case of organized swimming lessons), the following staff/child ratio must be maintained: For number of children with water not over child's head: 6 wks to 24 months - 1 to

1; 24 months to 3 yrs. - 1 to 2; 3 yrs. to kindergarten - 1 to 5; first grade and up - 1 to 8. For number of children with water over child's head: 6 wks to 24 months - 1 to 1; 24 months to 3 yrs. - 1 to 1; 3 yrs. to kindergarten - 1 to 3; first grade and up - 1 to 5.
-Staff member not required to have Red Cross lifesaving training. Pool lifeguard fulfills that requirement.

Transportation Policy
-Children must be in proper safety restraints, not exceeding the capacity seating of the vehicle, and with doors locked. Must follow Nebraska laws regarding transportation.

Drop-In Child Care
-If care is provided to four or more children, the "drop-in" child care is regulated.

Infant Care Programs
-Additional requirements within the day care center regulations; no specific regulations for "infant only" centers.
-There are a few "infant only" centers.

Overnight Care Programs
-The special regulations for overnight care follow state and local fire codes regarding emergency lighting, etc.
-Approximately 50 centers provide overnight care.

Programs for Children with Disabilities
-No special regulations.

School Age Care Programs
-Separate regulations for school age care do not exist.

Sick Child Care Programs
-No special regulations.

Subsidized Programs
-Available at local and district offices.

Reporting Child Abuse and Neglect
-Call (800) 652-1999 to report suspected cases of child abuse or neglect.

Local Contacts
-The local contact offices are the delegated authorities for Fire Marshal, health departments and licensing staff located in local offices.

New or Pending Legislation
-None.

NEVADA (NV)

Information
Supplied by: Patricia J. Simonsen
Chief of Licensing
Bureau of Services for Child Care
3920 E. Idaho Street
Elko, NV 89801
PHONE: (702) 753-1237
FAX: (702) 753-2111

Number and Definition of Regulated Programs

- **399** licensed centers.
- Number of regulated programs includes centers, preschools, nurseries, and centers which care for children with special needs.
- Religious affiliated centers regulated the same as any other center.

Requirements

- License required; preapproval inspection is required.
- Licenses are renewed annually; license fee for 13-50 children is $100; for 51-100 children - $150; for 101-150 children - $200; for 151-200 children - $250; for more than 200 children - $300.
- Fire safety, building code, and sanitation inspections required annually.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 37 1/2 sq. ft.
- Staff/child ratios varies depending on age of children; whenever one or more infants or toddlers are being cared for in a child care center, the licensee must have at least one caretaker on duty who is designated to provide that care.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: none.
- One person certified in first aid must be on-site at all times.

Unannounced Inspection Policy

- Biannual unannounced inspections.

Complaint Procedure

- Policies that require immediate closing of a center are dependent of complaint.
- Some policies require only a warning, dependent on complaint.
- Length of time center has to come into compliance depends on complaint.
- Resource and referral agencies notified in writing if center is closed.

-Complaints registered against centers are responded to within 3 working days, or 24 hours if severe.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for working in a center is 16.
-Centers referred to ADA requirements.

Staff Prescreening

-Fingerprinting and criminal records background check is required every 6 years for center staff; child abuse clearance is checked annually; TB skin test is required every 2 years or chest x-ray is required if needed; no recent change in TB screening policy.
-All criminal records checks and child abuse and neglect checks go outside of state lines.
-Crimes that prohibit employment: sexual offenses, child abuse and neglect or contributory delinquency, drug related crimes and other felony charges.
-Not required - medical examination, AIDS test, HIB and measles immunizations, drug and alcohol tests.
-Conditional hiring is allowed for center staff and the director, if the center is not new. If new, director/owner must have FBI clearance returned.
-3 written references required for director; written references not required for the rest of center staff unless required by hiring policies of the facility.
-Background checks, and TB screening required for temporary substitutes.

Staff Training

-Combination of preservice education and experience required for center directors, lead/head teachers, assistant teachers, teacher aides; no requirements for the dietician and kitchen staff.
-3 hours annual training required for center staff.
-Director is required to have special training in infant care if provided; training in the care of children with disabilities if provided; sick child care training requirements if provided.
-First aid is a separate preservice/in-service requirement.

Child Documentation Policy

-Center must maintain record for each child enrolled.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children must be immunized, including Hib immunization.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities not required to be tested for the presence of asbestos, lead or radon for licensure; must meet building code, fire & health requirements.

-No state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontracting Policy

-NV does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

-Exception: (1) Child care facilities in any county or incorporated city where the governing body has established an agency for the licensing of child care facilities and enacted an ordinance requiring that child care facilities be licensed by the county or city need not be licensed by the bureau. The licensing agency shall adopt such standards and other regulations as may be necessary for the licensing of child care facilities, and the standards and regulations:

- (a) must be not less restrictive than those adopted by the board; and
- (b) take effect only upon their approval by the bureau.

(2) An agency for the licensing of child care facilities established by a city or county may waive compliance with a particular standard or other regulation by a child care facility if:

- (a) agency finds that the practices and policies of that facility are substantially equivalent to those required by the agency in its standards and other regulations; and
- (b) waiver does not allow a practice which violates a regulation adopted by the board.

(3) If a governing body intends to amend or repeal an ordinance providing for the licensing of child care facilities and the effect of that action will be discontinuance of the governing body's licensure of child care facilities, the governing body shall notify the bureau of its intention to do so at least 12 months before the amendment or repeal becomes effective.

Smoking Policy

-Smoking is prohibited except in designated areas approved by the State Fire Marshal.

Swimming Pool Policy

-Guidelines for swimming pools are regulated by the Health Authority; no pools in centers exist to date.

-Child/staff ratio not affected.

-Staff not required to have Red Cross lifesaving training.

Transportation Policy

-Regulations concerning the transportation of children exist.

Drop-In Child Care

-Regulations are the same as all licensed facilities.

Infant Care Programs
-Separate regulations for centers which service infants exist.
-There are centers that provide care to "infants only," defined as 0-2 years.
-There are 4 "infant only" centers in the state.

Overnight Care Programs
-Fire and health codes have regulations for overnight care.
-Centers do provide overnight care; 13 centers.

Programs for Children with Disabilities
-Separate regulations for caring for the care of children with disabilities.
-Complies with ADA requirements.

School Age Care Programs
-No special regulations.

Sick Child Care Programs
-Separate regulations.

Subsidized Programs
-Contact Welfare Division (702) 687-4760 or DHR Child Care Block Grant Office (702) 687-4400.

Child Abuse and Neglect
-Call (800) 992-5757.

Local Contact
-DHR-DCFS, CHILD CARE LICENSING BUREAU
 -711 E. Fifth Street, Carson City, NV 89710 (702) 687-5911.
 -620 Belrose Street, Suite C, Las Vegas, NV 89158 (702) 486-5099.
 -560 Mill Street, Suite 250, Reno, NV 89502 (702) 688-2961.
 -3920 E. Idaho St., Elko, NV 89801 (702) 753-1237.

-The Child Care Licensing Bureau does not license child care facilities in the localities listed below. Information about facilities in these communities should be directed to them:

 -CARSON CITY
  -Child Care Licensing, Carson City Health Department, Environmental Health Services, 1711 North Roop Street, Carson City, NV 89701 (702) 887-2190.

 -CITY OF LAS VEGAS
  -Child Care Licensing, Privilege License Division, City of Las Vegas, Department of Business Activity, 400 East Stewart Avenue, Las Vegas, NV 89101 (702) 229-6011.

 -CLARK COUNTY
  -Child Care Licensing, Child Welfare Licensing Supervisor, Clark County Social Services, 1600 Pinto Lane, Las Vegas, NV 89106 (702) 455-5722.

-WASHOE COUNTY

-Child Care Licensing, Child Care Licensing Supervisor, Washoe County Social Services Department, Wells Avenue at Ninth Street, P.O. Box 11130, Reno, NV 89520-0027 (702) 328-2300.

New or Pending Legislation

-None.

NEW HAMPSHIRE (NH)

Information
Supplied by: Sharon A. Lee, Licensing Supervisor
Division of Public Health Services
Bureau of Child Care
6 Hazen Drive
Concord, NH 03301
PHONE: (603) 271-4624
FAX: (603) 271-3745

Number and Definition of Regulated Programs

- **1,200** licensed centers.
- Number includes nursery schools, private kindergartens, school age programs and religiously affiliated centers.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed every 3 years; no license fee.
- Fire safety and building code inspection required once every 3 years; licensing or monitoring inspection required annually.
- General or professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 50 sq. ft; for 1/3 of the agency's license capacity; the number of children using the play area at one time does not exceed the number square footage for the rate of 50 sq. ft. per child.
- Staff/child ratios: 6 wks. to 12 mos. - 1:4; 13 mos. to 24 mos. - 1:5; 25 mos. to 35 mos. - 1:6; 36 mos. to 47 mos. - 1:8; 48 mos. to 59 mos. - 1:12; 60 mos. and older - 1:15; mixed age groups - ratio based on average age of group.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: 6 weeks to 12 mos. (maximum group size - 12); 13 mos. to 24 mos. (maximum group size -15); 25 mos. to 30 mos. (maximum group size - 18); 36 mos. to 59 mos. (maximum group size - 24); and 60 mos. & older (maximum group size - 45).
- Must have at least one person on the premises during operating hours trained in and currently certified in CPR and first aid; training must include information about child and infant CPR.

Unannounced Inspection Policy

- Most receive one unannounced monitoring visit in 3 years.
- Unannounced visits are made when investigating complaints.

Complaint Procedure

-Laws that require immediate closing of a center exist.
-Time center has to come into compliance depends on the violation.
-Parents and resource and referral agencies are informed by letter on the day the center is closed, after appeals have been exhausted.
-Complaints that are registered against a center are responded to on the same day if it is a serious complaint; complaints that involve unlicensed agencies are investigated within one week; licensed agencies' investigation must be completed within 30 days.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for child care workers is 18; aides must be at least 16; no age limitation for teachers and directors.
-No information provided regarding compliance with ADA in staff hiring.

Staff Prescreening

-Child abuse clearance, criminal background check, TB skin test, and medical examination are required; no recent changes in TB screening policy - have always consistently required TB testing of all employees.
-Crimes that prohibit employment: murder, assault, sexual abuse, neglect, child endangerment. Investigations are conducted and each case is determined separately on charges of simple assault, drug charges and abuse/neglect.
-Not required - fingerprinting, AIDS, drug and alcohol tests, or measles and Hib immunizations.
-Conditional hiring allowed for 60 days.
-Written references are only required for center staff when there is a questionable background.
-A temporary substitute who does not meet the education/experience requirements for the position may not work more than 30 consecutive days.

Staff Training

-Directors required to have an Associate's Degree; lead/head teachers - 12 college credits; child care workers - 6 college credits; no requirements for teacher aides or dietician and kitchen staff.
-Annual in-service training required; 6 hours per year.
-No special training required for infant care, care of children with disabilities, sick child care, or drop in care.

Child Documentation Policy

-No specific state guidelines for child enrollment; however, no child may be enrolled who is under six weeks old, unless they attend for less than 12 hours per week.
-No provision for screening children for blood lead levels prior to acceptance in licensed child care programs.

Child Immunization Policy

-Enrolled children are required to be immunized on the first day of attendance; some exemptions allowed.
-Hib vaccines and boosters are required.

Discipline Policy

-Corporal punishment is prohibited. Discipline must be positive and teach the child to be self-disciplined.

Emergency Medical Consent Policy

-Written consent is required, but form does not have to be notarized.

Environmental Policy

-As a condition of licensure, facilities are required to be tested for lead and asbestos, but not for radon; testing is required only if there is an indication that a problem may exist.

-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontracting Policy

-NH does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited in child care facilities during the hours of operation.

Swimming Pool Policy

-Children shall be supervised at all times; At least one person certified in CPR must be present; Pool gates shall be locked and pools should be fenced.

Transportation Policy

-There are regulations concerning the transportation of children.

Drop-In Child Care

-"Drop-in" child care is regulated; NH requires drop-in care to be licensed as all other group child cares are.

Infant Care Programs

-Separate regulation exist for center which serve infants.

-No information about "infant only" centers.

Overnight Care Programs

-Rules exist for night care programs.

Programs for Children with Disabilities

-Center required to have on-going consultation with parents, physician or other professionals and written information regarding meeting child's individual needs.

-No information provided regarding compliance with ADA.

School Age Care Programs

-Separate regulations for before and after school programs; regulations regard ratios, staff qualifications and program requirements.

Sick Child Care Programs

-None.

Subsidized Programs

-Contact Division of Human Services, (603) 271-4381 or Division of Children, Youth, and Families, (603) 271-4248.

Reporting Child Abuse and Neglect

-Investigations conducted by licensing specialists and sometimes jointly with the Division of Children, Youth and Families and/or the police.

Local Contacts

-None; licensing is centralized; call (603) 271-4624.

New or Pending Legislation

-None.

NEW JERSEY (NJ)

Information
Supplied by: Richard Crane, Chief
DYFS, Bureau of Licensing
P.O. Box 717
Trenton, NJ 08625-0717
PHONE: (609) 292-1018
FAX: (609) 292-6976

Number and Definition of Regulated Programs

- **3,500** licensed centers.
- Center is defined as 6 or more children under 13 years of age who attend for less than 24 hours a day.
- Nursery schools, prekindergartens, and religiously affiliated centers are included in this number; however, certain religiously affiliated centers operating before May, 1984, are "grandfathered" and permitted to receive a Certificate of Life/Safety Approval instead of a license. Centers operating for eight weeks or less are also permitted to receive such a certificate.

Requirements

- License required; preapproval inspection required.
- License is renewed every 3 years; fee varies by center capacity: 6-15 ($110); 16-30 ($140); 31-60 ($165); 61-100 ($195); 101-180 ($220) and 181 and up ($250); money goes to General State Treasury Fund. In lieu of fees specified above, an applicant for an initial or renewal license who operates a Head Start Center pursuant to regulation or a school-age child care program that does not charge a fee or require other compensation or services from parents, shall send a licensing fee of $110.
- Separate inspections required yearly by local Fire and Health Departments; building code inspection required once, to secure a Certificate of Occupancy; new centers must comply with barrier-free building codes.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the state.

Regulations

- Space requirements per child: indoor - 35 sq. ft. for centers operating since 1989; 30 sq. ft. for centers in existence before 1989; outdoor - 150 sq. ft. minimum, plus 30 sq. ft. per child when more than 5 children use the space.
- Staff/child ratios: 0 to 18 months - 1:4; 18 months to 2 1/2 years - 1:7; 2 1/2 to 4 - 1:10; 4 - 1:12; 5 - 1:15; 6 and school-age - 1:18.
- Naptime staff/child ratios: Less staff have to directly supervise children during naptime, but all staff must remain in facility and be reachable if needed to return to an area; Exception: staff/child ratios must be 1:10 for children

under 2 1/2 years, and 1:20 for children 2 1/2 years and above.

-Group size delineations: for early childhood (maximum group size - 20); for school age (maximum group size - 30); primary caregiver is required for each group of 4 infants or 7 toddlers.

-A person with CPR and first aid training is required to be at the center.

Unannounced Inspection Policy

-All inspections are unannounced, including initial, renewal, complaint and follow-up.

Complaint Procedure

-Policies exist that allow for immediate closing of a center in case of imminent or life threatening hazards - contact local code officials; contact parents; seek court to get injunction; send DYFS licensing staff to the center to make sure that the center complies with closing. Length of time center has to come into compliance depends on nature of infraction.

-Resource and Referral agencies are sent monthly licensing status reports on all centers, including centers that close and new ones that open.

-When complaint against a center is registered, written report is sent to centers after investigation is completed, follow-ups as necessary.

Staff Qualifications

-No state recommended salary schedule for center staff.

-Minimum age requirement for working in a center is 14 for early childhood programs and 16 for school-age child care programs; 14 to 17 year olds must be directly supervised by an adult.

-Compliance with ADA in staff hiring involves encouraging centers to hire staff members with disabilities.

Staff Prescreening

-Staff required to be prescreened by Mantoux test for TB (or chest x-ray) and medical examination; no recent change in TB screening policy; statement is required regarding conviction of a crime; child abuse clearance required beginning 3/17/98.

-Crimes that prohibit employment: criminal activities are reviewed on a case-by-case basis to determine whether the crime relates to child care. Substantiations of child abuse/neglect disqualify an individual from child care employment, as required by state law.

-Not required - fingerprinting, criminal records background check, Hib and measles immunizations, AIDS, drug and alcohol tests.

-Conditional hiring is not allowed.

-2 written references (or verbal references documented) required.

-Centers required to have a substitute system.

Staff Training

-Preservice education and/or experience required for center directors, group teachers, lead/head teachers, and school-age child care program supervisors; no preservice education or experience required for assistant teachers, teacher aides, or the dietician and kitchen staff.

-New staff must have orientation in implementing group size limits and primary

caregiver responsibilities; understanding center operations, policies and procedures; implementing the center's statement of policy on the disciplining of children; recognizing and reporting child abuse and neglect; supervising all children; implementing health practices; evacuating the center, use of the fire alarms; and implementing the center's release policy. 8 hours inservice in 3 core areas for all staff plus 4 hours in program management for director, head teacher and school age child care program supervisor are required annually.
-One staff member trained in CPR and first aid must be present at all times.
-No special training required for infant care, care of children with disabilities, or drop in care.
-Sick child care special training required for each new staff upon beginning work at the center and for all staff annually.

Child Documentation Policy

-Specific documentation for child enrollment includes parents' home and work contacts, emergency contacts, permission for emergency medical treatment, and receipt of information to parents statement. Also, a child must meet certain health requirements.
-Currently no provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children required to have current immunization, including Hib immunization.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-When the presence of lead paint or asbestos is suspected, testing for lead or asbestos is required as a condition of licensure; records are kept on file.
-Testing for the presence of radon is required effective 3/27/97.
-The center must arrange and pay for the testing for lead paint, radon and/or asbestos in child care facilities and any remediation work.

National Life Safety Fire Code Policy

-New Jersey uses its own Uniform Fire Code (NJUFC).

Regulatory Process Subcontracting Policy

-NJ does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Child care centers must ensure that smoking is prohibited in all rooms and outside play areas while such rooms and outside areas are occupied by children; if smoking is permitted in an indoor area when children are not present, the area must be separately ventilated to the outside.

Swimming Pool Policy

-Guidelines for swimming pools include center compliance with building, health, and safety codes for pools at least 24" deep.
-Child/staff ratio not affected.
-One staff member required to have Red Cross lifesaving training or equivalent certification for pools at least 24" deep.

Transportation Policy

-Regulations concerning the transportation of children exist.

Drop-In Child Care

-"Drop-in" child care is subject to licensure; no different provisions are required for these programs.

Infant Care Programs

-More stringent staff/child ratios and sanitation procedures exist.
-There are centers providing care to "infants only," defined as under 2 1/2 years of age.
-There are 11 "infant only" centers in the state.

Overnight Care Programs

-Special regulations for overnight care address bedtime schedules, evening activities, sleeping equipment and sleeping garments.
-25 centers provide overnight care.

Programs for Children with Disabilities

-More stringent ratios exist for ambulatory and non-ambulatory children with disabilities.
-Compliance with ADA in providing services to children involves encouraging centers to admit children with disabilities.

School Age Care Programs

-School-age child care programs became subject to State licensure in March 1993 as a result of an amendment to the State Child Care Center Licensing Law; special regulations were adopted for these programs in May 1994; provisions are incorporated into the licensing regulations.

Sick Child Care Programs

-Detailed requirements for programs caring for sick children, whether the program serves sick children exclusively or serves sick children as a component of a regular program.

Subsidized Programs

-Contact Division of Family Development: (609) 588-2282.

Reporting Child Abuse and Neglect

-Contact 24 hour hotline: (800) 792-8610; in each county there is at least one phone number for a field office that will respond to cases during normal business hours.

Local Contacts

-None.

New or Pending Legislation

-Several bills are pending in the state legislature(*):

- -Testing for lead toxicity as condition for attendance in schools, nursery schools and child care centers.
- -Requires playground safety regulations.
- -Requiring that immunizations be a condition for attendance at nursery schools and child care centers.
- -Requiring the Hepatitis B vaccine as a condition of enrollment in schools or child care centers.
- -Requiring criminal history record information (CHRI) background screenings for child care center staff.

(*)legislative session ends 12/31/98.

NEW MEXICO (NM)*

Information
Supplied by:
Steve Montano, Acting Bureau Chief
Child Care Services Bureau
Children, Youth & Families Dept.
P.O. Drawer 5160, Rm 109
Santa Fe, NM 87502
PHONE: (505) 827-9932
FAX: (505) 827-7361

Number and Definition of Regulated Programs

-**600** licensed centers, which includes nursery schools, prekindergartens and religiously affiliated centers.

Requirements

-License required; preapproval inspection required.
-Licenses are renewed annually; fee is $55.00; fees goes into State General Fund.
-Initial building code inspection required; separate inspections required annually by Sanitation and Fire Departments.
-General or professional liability insurance not required.
-Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 60 sq. ft., 20% of the licensed capacity.
-Staff/child ratios: infants - 1:6; toddlers - 1:6; preschool - 1:12; school age - 1:15; mixed age groups - same.
-Naptime staff/child ratios: same as above; no change.
-Group size delineations: none.

-Unannounced Inspection Policy

-All licensed centers receive unannounced monitoring visits except for the initial pre-opening survey.

Complaint Procedure

-Immediate closing of a center results in license suspension without prior hearing.
-The seriousness of problem determines whether or not it only requires a warning; length of time that center has to come into compliance determined by the seriousness of deficiency.
-Resource and referral agencies are notified when a center is closed.
-Local offices respond within protocol time limits when a complaint is registered against a child care center.

Staff Qualifications

- Minimum age requirement for working in a center is 18.
- No state recommended salary schedule for center staff.
- Temporary substitutes must meet same requirements as staff.

Staff Prescreening

- Prescreening tests required at the time of hiring: fingerprinting, child abuse clearance, criminal background check, and TB skin test; chest x-ray required if necessary; no recent change in TB screening policy.
- Crimes that prohibit employment: no information supplied.
- Not required - medical examination, AIDS, drug and alcohol tests.
- Conditional hiring is allowed prior to results of prescreening; no fixed time per FBI clearance.
- Three written references are required from previous employers.

Staff Training

- Preservice education required for day care center directors; not required for lead/head teachers, assistant teacher, teacher aides, or the dietician and kitchen staff.
- 24 hours in-service training is required annually.
- Special training required for care of children with disabilities and sick child care.
- No special training required for infant or drop-in care.
- First aid is required in addition to training hours.
- CPR recommended.

Child Documentation Policy

- Specific state guidelines for child enrollment exist.
- No provision for screen children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

- Enrolled children required to be immunized by, a schedule provided by the NM Dept. of Health, including Hib immunization.

Discipline Policy

- Corporal punishment prohibited.

Emergency Medical Consent Policy

- Written consent required, but form does not have to be notarized.

Environmental Policy

- Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
- There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

- Has been adopted as it pertains to child day care.

Regulatory Process Subcontracting Policy
-NM does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is prohibited in child care facilities.

Swimming Pool Policy
-Pools must be regulated and inspected; have permit from the Environment Department.

Transportation Policy
-Transportation of children regulations cover basic safety, seatbelts.

Drop-In Child Care
-No information supplied.

Infant Care Programs
-Separate regulations for centers which service infants are incorporated into general regulations.
-No "infant care only" centers.

Overnight Care Programs
-Special regulations for centers which provide overnight care, especially staff and equipment requirements.
-Are less than 24 hours.
-3 centers provide overnight care.

Programs for Children with Disabilities
-Separate regulations for caring for children with disabilities; mainstreaming not required.

School Age Care Programs
-Separate regulations in addition to core day care standards.

Sick Child Care Programs
-Separate regulations for caring for sick children exist.

Subsidized Programs
-Contact Social Services Division, P.O. Drawer 5160, Santa Fe, NM 87502; (505) 827-4033.

Reporting Child Abuse and Neglect
-Call (505) 827-8400.

Local Contact
-District I & II
Yvonne Otero, 300 San Mateo NE, Suite 500, Albuquerque, NM 87112
(505) 841-6044X (505) 841-6420

-District III
Nancy Joplin, 2407 W. Picacho, Suite B-2, Las Cruces, NM 88005
(505) 524-6057 FAX (505) 524-6415

-District IV
Kathleen Freyburger, #1 Jerry Smith Circle, Roswell, NM 88202
(505) 347-0431 FAX (505) 347-4581

New or Pending Legislation
-New regulations have been promulgated.

* Information from 1998 Study.

NEW YORK (NY)

Information
Supplied by:

Suzanne Zafonte Sennett, Director
Bureau of Early Childhood Services
Department of Social Services
40 North Pearl Street
Albany, NY 12243
PHONE: (518) 474-9324
FAX: (518) 474-9617

Number and Definition of Regulated Programs

- **3,411** licensed centers (1,754 state licensed; 1,657 licensed by New York City).
- Number includes those nursery/preschools/prekindergartens and religiously affiliated centers which meet the definition of a child day care center and therefore are required to be licensed.
- Programs not required to license may do so voluntarily. Nursery schools can also register voluntarily with the State Department of Education.

Requirements (NYC has separate regulations.)

- License required; preapproval inspection required.
- Licenses are renewed at least every 2 years.
- Fire safety inspection required annually; building code inspection required initially and with change of usage or expansion; zoning approval required at initial licensure; health, fire detection system, and heating system inspections required at initial licensure and renewal; test of private water supply required at initial licensure and renewal.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations (NYC has separate regulations.)

- Space requirements per child: indoor - 35 sq. ft. and additional space for cribs; outdoor - adequate for outdoor play.
- Staff/child ratios: 6 weeks to 1/2 years - 1:4; 1/2 years to 3 years - 1:4 or 1:5; 3 years - 1:6 or 1:7; 4 years - 1:7 or 1:8; 5 years - 1:8 or 1:9; 6 years to 10 years - 1:10; 10 years through 12 years - 1:15; Ratio varies with group size.
- Naptime staff/child ratios: same as above.
- Group size delineations: 6 weeks - 18 months (maximum group size - 8); 18-36 months (maximum group size - 12); 3 years (maximum group size - 18); 4 years years (maximum group size - 21); 5 years (maximum group size - 24); 6-9 years (maximum group size - 20); and 10-12 years (maximum group size - 30).

Unannounced Inspection Policy

-The Department is authorized by law to make unannounced and announced inspections of the records and the premises of any child care center.

Complaint Procedure

-Call Child Care Complaint Line for Regulatory Complaints: (800) 732-5207.

-There are policies on immediate closing of a child day care center (suspension of license) upon finding that the public health or a child's safety is in imminent danger.

-For all other violations, the Department must advise the child care center in writing of the violations within 10 days and require the center to correct the violations. If the center fails to correct the violations within 30 days after notice, the Department may begin enforcement action.

-Resource and referral agencies are notified when a child care center is closed.

-When a complaint is registered against a child care center, which if true would indicate a violation of statute or regulation, to the maximum extent possible, an unannounced site inspection must be made within 15 days or the next day in the case of imminent danger.

Staff Qualifications

-No state recommended salary schedule for child care center staff.

-Minimum age requirement for working in a child day care center is 16; no person under 18 years of age is permitted to be left alone to supervise a group of children.

-Compliance with ADA in staff hiring means that child day care centers must comply with all applicable state and federal laws relating to equal employment opportunities.

Staff Prescreening

-Staff required to be prescreened by child abuse and maltreatment clearance; Mantoux or other TB skin test (or chest x-ray), and medical statement must be performed prior to employment and biennially; no recent change in TB screening policy.

-Crimes that prohibit employment: violent crimes and crimes against children.

-Only attestation as to criminal conviction history must be provided by applicant.

-Not required - fingerprinting, AIDS test, Hib and measles immunizations, drug and alcohol tests.

-Conditional hiring prior to results of child abuse and maltreatment clearance is allowed but no contact with children is permitted without direct supervision by staff already cleared.

-3 references required of applicant, including at least one personal reference and at least one employment reference.

-All staff having substantial contact with children, including consultants and volunteers, must be cleared through the State Central Register for child abuse and maltreatment.

Staff Training

-Preservice education and experience required for child care center program director and heads of group. Preservice education or experience required for assistants to heads of group.

-15 hours in-service training required for child care center staff during each licensing period.

-CPR/first aid not a separate preservice and/or in-service training requirement.

-Heads of group for children 6 weeks to 3 years of age required to have special training for infant care; special training in care of children with disabilities required as needed; sick child care and drop in care are not currently categories of regulated care.

Child Documentation Policy

-There are specific regulatory requirements for the admission of children, including medical examination, parental consents, and exchange of information.

-Providers must request a copy of the lead screening certificate from parent(s) at the time of admission.

Child Immunization Policy

-Immunizations, including the Hib immunization, are required for enrollment.

Discipline Policy

-Corporal punishment and humiliating or frightening methods of control and discipline are prohibited.

Emergency Medical Consent Policy

-Written parental consent is required at the time of admission, but signatures are not required to be notarized.

Environmental Policy

-New York State Department of Health conducts a lead assessment for daycare centers located in buildings prior to 1978.

National Life Safety Fire Code Policy

-Parts of the National Life Safety Fire Code are referenced in the New York State Uniform Fire Prevention and Building Code.

Regulatory Process Subcontracting Policy

-NY does not subcontract any or all of the child care center regulatory process to a public or private agency/organization. It is working to standardize and streamline its child care center licensing procedures rather than contracting out any aspect of the regulatory process.

Smoking Policy

-Smoking is prohibited in indoor areas and in vehicles when children are present.

Swimming Pool Policy

-Guidelines include: pools must be constructed, maintained, staffed, and used in such a manner as will safeguard the lives and health of children and must be operated in accordance with all state and local laws; pools operated by child

care centers must be barricaded.
-Child/staff ratio is affected to fit the state health code requirement, when that requirement exceeds that of OCFS regulations.
-Staff required to have Red Cross lifesaving training under the state health code requirement.

Transportation Policy

-Regulations governing transportation focus on parental consent and on the safety of children in addition to the routine requirements for motor vehicles in NY.

Drop-In Child Care

-"Drop-In" care is not regulated.

Infant Care Programs

-There are some special provisions for the care of children under the age of 3 years in the areas of diapering, feeding, program, staff training and preservice experience, equipment and space. A registered nurse must visit the center to instruct staff on the care of infants and toddlers.
-There are centers that provide care to "infants only," defined as 6 weeks to 18 months or 3 years; there are a limited number of "infant only" centers.

Overnight Care Programs

-Guidelines for overnight care are currently under study.
-A small number of centers provide overnight care; exact number unavailable.

Programs for Children with Disabilities

-There are no separate regulations on caring for children with disabilities but provision must be made to address the child's individual needs. A child care center may not refuse to admit a disabled child who otherwise is eligible for admission if a space is available, the child could benefit from participation in the program and reasonable modifications can be made in the premises and/or program to accommodate the child. This is in compliance with the ADA in providing services to children.

School Age Programs

-There are separate regulations for before and after school programs, termed school-age child care programs in New York State, which may also operate during the summer and school holidays and vacations (18 NYCRR, Part 414).

Sick Child Care Programs

-Child day care center regulations include requirements for the care of children who become ill at the center. Children with contagious or communicable disease cannot be admitted. Guidelines for the care of mildly ill children and moderately ill children are currently under consideration.

Subsidized Programs

-Subsidized child care is available in New York State. For information contact George Ciezkowski, Bureau of Early Childhood Services, New York State Department of Social Services, 40 North Pearl Street, Section 11-B, Albany, New York 12243, phone: (518) 474-9324.

Reporting Child Abuse and Neglect

-Call (800) 342-3720 to report suspected cases of child abuse or maltreatment.

Local Contacts

-There are 7 regional offices which license child care centers.

New or Pending Legislation

-New legislation: Jeremy Fiedelholtz-Julia Haas Safe Day Care Act- First, legislation makes it a class A misdemeanor for making willful or intentional misrepresentations by child day care providers to any parent, guardian, state or local government official, police officer or peace officer regarding the facts pertaining to such provider, including but not limited to: the number of children in the daycare, where such number is in violation of law, the areas of the daycare used to provide care and the credentials or qualifications of any provider or employee. The child must be placed in danger because of this willful or intentional misrepresentation. Second, the bill passed creates a class E felony of reckless assault of a child by a daycare provider. Daycare providers are guilty of such crime when they recklessly cause serious physical injury to a child under their care.

NORTH CAROLINA (NC)

Information
Supplied by:

Stephanie Fanjul, Director
Division of Child Development
P.O. Box 29553
Raleigh, NC 27626-0553
PHONE: (919) 662-4499
FAX: (919) 662-4569

Number and Definition of Regulated Programs

- **3,825** licensed centers.
- If a nursery school, prekindergarten or religiously affiliated center meets the definition of day care and is required to be licensed, it is included in number.
- Child care providers operating more than one type of program at the same site, serving different children for 4 hours or less per day are not required to be licensed; however, they may volunteer to be licensed. Programs receiving subsidy funds are required to be licensed.

Requirements

- License required; preapproval inspection required prior to issuance of a permanent "evergreen" license; annual compliance visits still required; no license fee; permanent license--permits will be issued without expiration dates.
- License must be displayed where parents are able to view it daily.
- Fire safety inspection required initially and annually; building code inspection required initially and when major renovations are done; sanitation inspection required initially and annually.
- General and professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 25 sq. ft. minus halls, closets, bathrooms; outdoor - 75 sq. ft. with a minimum of space for 30 children.
- Staff/child ratios: up to one year old - 1:5; 1 to 2 year olds - 1:6; 2 to 3 year olds - 1:10; 3 to 4 years old - 1:15; 4 to 5 years old - 1:20; 5 year olds - 1:25.
- Naptime staff/child ratios: Children age 2 and older, only one person required in the room or visually supervising and total number of required staff are on premises within calling distance.
- Group size delineations: maximum group sizes are double the staff/child ratio, not to exceed 25 children.
- CPR - one person must always be present during operating hours; first aid is required so that the following number of certified staff are present during operating hours: 1-29 children (one person); 30-79 children (two people) and 80+ children (three people); may be counted as in-service.

- -Parents may give written blanket permission for 6 months to administer medications for asthma and allergic reactions; also up to 12 months for diaper creams and sunscreen.

Unannounced Inspection Policy

-Whenever a complaint is filed and others as time permits.

Complaint Procedure

-No policies that require immediate closing of a center; summary suspension of a license is an option, which would mean immediate closure unless a stay was obtained; a hearing is required 5 days after suspension is ordered.

-Violations that have been corrected and/or have not occurred may receive a warning or reprimand.

-Resource and referral agencies are not notified when a center is closed.

-When a complaint is registered against a center, a consultant must investigate within 30 days after receiving the complaint and take appropriate action; for abuse/neglect, mandated response time is within 7 days for Division of Child Development staff; Department of Social Services must respond within 3 days for abuse/neglect in child care setting.

Staff Qualifications

-No state recommended salary schedule for center staff.

-A child care administrator must be at least 21 years old and have at least an NC Early Childhood Administration Credential or its equivalent. May be hired before completing Credential requirements.

-Directors must have at least a NC Early Childhood Administration Credential or its equivalent by September 1, 2000. Directors hired after September 1, 1998 must be in an approved credentialling program within 6 months of assuming administrative duties and finish coursework within 2 years.

-Lead teachers must be at least 18 years old and have at least an NC Early Childhood Credential or its equivalent. May be hired before completing Credential requirements.They must be enrolled in an approved credentialling program within 6 months of being employed and complete the credential within 18 months of enrolling in coursework.

-For school age care, the program coordinator must be at least 18 and have a HS diploma or its equivalent; all other staff must complete 7 clock hours of school age program training.

-All programs must comply with ADA in staff hiring. State provides technical assistance, but does not monitor.

-NC has a statewide initiative - T.E.A.C.H., to improve educational opportunities for child care providers; participants receive scholarships to earn a NC Early Childhood Credential, an AAS or BA in early childhood education, or can become an Early Childhood Model/Mentor Teacher.

-Staff requirements: centers licensed for 200 or more children, administrators must be on site for 40 hours per week; a lead teacher is responsible for one group of children at a time and must be with this group for at least 2/3 of the total daily hours of operation.

Staff Prescreening

- Center staff required to have either TB skin test or chest x-ray initially; initial medical examination required and annual health questionnaire must be completed; no recent change in TB screening policy; fingerprinting check through SBI (FBI if in NC less than 5 years) also required.
- If a person has lived in North Carolina for less than five years, then state does go outside of state lines for criminal records checks and child abuse and neglect checks.
- Crimes that prohibit employment: violent crimes, multiple drug convictions, crimes against children and ongoing pattern of convictions.
- Not required - check of DSS central registry, AIDS test, Hib and measles immunizations, or drug and alcohol test.
- No one convicted of child abuse or neglect or moral turpitude may work in child care.
- No written references required for center staff.
- Temporary substitutes at a minimum must be 16 years old and literate. If 16 and 17, must work under direct supervision of a qualified teacher who is at least 21 years old.

Staff Training

- Preservice education and/or experience required for center directors and lead/head teachers; no requirements for the dietician, kitchen staff, assistant teachers, or teacher aids.
- Annual in-service training required for center staff who have contact with the children; number of hours of training depends on education/experience of staff person.
- No special training for infant care, care of children with disabilities, sick child care, and drop in care.

Child Documentation Policy

- Enrolled children must have complete application with identifying and emergency medical information.
- No provision for screening children for blood lead level prior to acceptance into licensed child care program.

Child Immunization Policy

- Enrolled children must be immunized, including Hib immunization; exemptions for religious beliefs.

Discipline Policy

- Corporal punishment is not allowed. Exception: church operated/religious sponsored facilities may spank children with parents permission when spanking is deemed part of religious beliefs of church/denomination. Center must have written discipline policy.

Emergency Medical Consent Policy

- Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, lead or radon unless the child care consultant or the environmental health specialist has cause to suspect the presence of lead.

-The lead inspection is done by the state; no funds for remediation and no funds for asbestos or radon.

National Life Safety Fire Code Policy

-Has not been adopted.

Regulatory Process Subcontracting Policy

-NC does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited in the food preparation areas, on the playground, and in any part of the center accessible to children.

Swimming Pool Policy

-When children participate in swimming or other aquatic activities, a person who has a current life guard training certificate, issued by the Red Cross or other training determined by the Division to be equivalent to the Red Cross training, appropriate for both the type of body of water and type of aquatic activities shall be present to supervise the children in or near the water and shall not be counted in the staff/child ratio. One person with a life guard training certificate is required for each group of 25 or fewer children.

-Child/staff ratio as stated herein previously remains the same.

-Any swimming pool which is located on the child care facility premises shall be enclosed by a fence and shall be separated from the remaining outdoor play area by that fence.

-Swimming pool safety rules shall be posted near the swimming pool.

-All swimming pools used by children shall meet the "Rules Governing Public Swimming Pools."

Transportation

-Vehicles must meet state safety inspection standards; driver must have license for type of vehicle being driven; staff/child ratio must be maintained; appropriate child restraints must be used; restraints required for children under 2, even if vehicle is exempt by federal law from having such restraints.

-Children may not sit in the front seat if there is an operational airbag.

Drop-In Child Care

-If a licensed center accepts children on a drop-in basis, there are regulations for these children. Law exempts drop-in care if parents are on the premises/easily accessible.

Infant Care Programs

-Separate regulations for centers providing care to infants on, nutrition, ratios, activities, staff interactions, and equipment.
-There are centers that provide care to "infants only," defined as under age 3.
-The number of "infant only" centers in the state is unknown.

Overnight Care

-Special regulations include some building code requirements, such as lighted exit signs, and some variances regarding activities and mealtimes. Also must have beds or cots with 4" mattresses.
-Exact number of centers providing overnight care unknown.

Programs for Children with Disabilities

-Division of Mental Health, Developmental Disabilities and Substance Abuse Services certifies programs for developmentally disabled children.
-Centers must comply with ADA in providing services to children. State provides technical assistance, but does not monitor.

School Age Programs

-Within the child care rules, there is a section on school age care. This section addresses staff qualifications, activities, in-service training, health and safety issues and supervision.

Sick Child Care Programs

-Separate regulations for caring for mildly-ill children.

Subsidized Programs

-Any licensed center may provide subsidized care if selected by parent.

Child Abuse and Neglect

-Contact Talitha Wright at the Division of Child Development: (919) 662-4527.

Local Contact

-No local contact offices; consultants work out of their homes.

New or Pending Legislation

-Pending: rules concerning a multi-level rated license (1-to-5 stars) are in the process of being adopted.

NORTH DAKOTA (ND)

Information
Supplied by: Corinne Bennett
Children and Family Services
Department of Human Services
State Capitol Building
Bismarck, ND 58505-0250
PHONE: (701) 328-4809
FAX: (701) 328-3538

Number and Definition of Regulated Programs

- -**109** licensed centers.
- -Religiously affiliated centers are included in this number; nursery schools and prekindergartens are not.

Requirements

- -License required; preapproval inspection is required.
- -Option for one or two year license; same number of visits occur.
- -License fee ($20-$50 for 1 year; $35-$95 for 2 years) are used for salaries of licensing staff, fringes, mileage, training of licensing staff and providers.
- -Fire safety, Building Code and Health and Sanitation inspections required annually.
- -General liability insurance required for centers and preschools only; professional liability insurance not required.
- -Physical security of child care centers (such as a card access system) is not addressed by State.

Regulations

- -Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
- -Staff/child ratios: up to 24 months - 1:4; 2 year olds - 1:5; 3 year olds - 1:7; 4 year olds - 1:10; 5 year olds - 1:12; 6-12 year olds - 1:18.
- -Naptime staff/child ratios: same as above; no change.
- -Group size delineations: none (center rules).
- -Staff member who meets current certification requirements in basic CPR and first aid is required to be on duty at all times when children are receiving care.

Unannounced Inspection Policy

- -All facilities receive unannounced visits.

Complaint Procedure

- -Policies could require immediate closing of center (within 24 hours); depends on the circumstances; otherwise center has 20-60 days to come into compliance depending on the violation.
- -Resource and referral agencies notified when a center is closed; upon revocation of a license, the information is public.

-Abuse and Neglect reports handled by Protective Services; Rule Violations are handled by licensing staff; on site visits occur.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Child care worker must be at least 14 years of age; parental consent required between 14-16; no person under age 18 can be left to care for the children without adult supervision.
-With regard to staff hiring, centers are provided with information about compliance with ADA.

Staff Prescreening

-Center staff required to be prescreened by child abuse clearance; fingerprinting is optional; TB screening is required.
-Crimes that prohibit employment: no information available.
-Not required - criminal background check, chest x-ray, medical examination, AIDS test, drug and alcohol tests; self-certification form is used; also measles & Hib immunization.
-Uniform Juvenile Court Act now allows the DHS to have access to records for purpose of conducting background checks for licensure.
-Conditional hiring is not allowed.
-No written references required.
-Backup staff have background checks for abuse and neglect and sexual offender registration; also must be trained to center operations.
-ND DHS may not issue a license for child care to any person who has been denied a license because of Child Abuse/Neglect Probable Cause Determination.

Staff Training

-Preservice education and/or experience required for center directors, lead/head teachers, and assistant teachers - must meet minimum standards; no requirements for teacher aides, or the dietician and kitchen staff.
-13 hours annual in-service training required.
-No special training for the care of infants, of children with disabilities or sick child care.

Child Documentation Policy

-Child health forms, child immunization forms, and a child information form are provided by parents to provider.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children are required to be immunized, including Hib.

Discipline Policy

-Children must not be subjected to physical harm or humiliation. No child may be punched, spanked, shaken, pinched, bitten, roughly handled, or struck by caregiver or any other adult in the center.
-Discipline must be constructive or educational in nature and may include diversion, separation from problem situation, talk with child about the situation,

praise for appropriate behavior, and gentle physical restraint such as holding.

- -Verbal abuse or derogatory remarks about the child, the child's family, race, religion, or profane, threatening, or abusive language may not be used when addressing children or in the presence of children.
- -Separation, when used as a discipline, must be brief and appropriate to the child's age and circumstances, and the young child must be in a safe, lighted, well-ventilated room within hearing of an adult.
- -No child may be physically punished for lapses in toilet training.
- -Deprivation of meals may not be used as a form of discipline or punishment.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

- -Facilities are not required to be tested for the presence of lead, asbestos, or radon as a condition of licensure.
- -There is no state financial assistance for the inspection or remediation in child care facilities for lead, asbestos or radon.

National Life Safety Code Policy

-Is used for fire code inspections.

Regulatory Process Subcontracting Policy

-ND does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-A "smoke free" facility is required.

Swimming Pool Policy

- -All swimming pools must be approved by Department of Health and Consolidated Laboratories, Division of Water Supply and Pollution Control.
- -Operational practices for staff governed by that agency.
- -Center child/staff ratio not affected.

Transportation Policy

- -Center operator shall establish a written policy governing the transportation of children to and from the child care center, if the center provides transportation. Such a policy shall specify who is to provide transportation and how parental permission is to be obtained for special field trips and related activities which occur outside the child care center.
- -When center provides transportation, parents shall be informed of any insurance coverage on vehicles.
- -All vehicles must meet state operational requirements.

Drop-In Child Care

-"Drop-in" child care is not regulated.

Infant Care Programs

-Special additional regulations.

-"Infant only" centers exist, but no information available on the number.

Overnight Care Programs
-Special additional regulations.
-Some centers provide overnight care, but no information available on the number.

Programs for Children with Disabilities
-Special additional regulations.
-Centers provided with information regarding compliance with ADA.

School Age Care Programs
-Special regulations for before and after school programs have been developed and went into effect as of 1/1/99.

Sick Child Care Programs
-No information available.

Subsidized Programs
-AFDC/Transitional/Protection Service, and Crossroad - child care for adolescent parents to continue their education.
-Child Care Assistance Program (CCDBG); also Prime Time (for families at risk).

Reporting Child Abuse and Neglect
-Call the local county social service office.

Local Contacts
-Contact county social services for licensing issues.

New or Pending Legislation
-None.

OHIO (OH)+

Information
Supplied by: M. Pauline Hosenfeld, Chief
Child Day Care Licensing Section
Department of Human Services
65 E. State Street, 2nd Floor
Columbus, OH 43215
PHONE: (614) 466-3822
FAX: (614) 728-9682

Number and Definition of Regulated Programs

- **3,760** licensed centers.
- Nursery schools and preschools are licensed the same as full day programs; some school-operated programs are regulated by ODE.
- Number of licensed centers includes nursery schools, prekindergartens and church affiliated centers.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed every two years; initial fee is $100, renewal fee is $50; goes to state's general treasury fund.
- Fire safety inspection required annually; building code inspection required once initially; health (food service license) required annually.
- General and/or professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not currently addressed by the State.
- Centers must post inspection reports.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 60 sq. ft.
- Staff/child ratios: infants - 1:5 & 1:6; toddlers - 1:7 & 1:8; preschool - 1:12 & 1:14; school age - 1:18 & 1:20; mixed age - age of youngest child determines the staff ratio of the group.
- Naptime staff/child ratios: ratios and group size may be doubled for no more than 1.5 hours during naptime.
- Group size delineations: group size limit is twice ratios; children are assigned in groups to specific caregivers who are responsible for their safety and care. Groups must have a physical home base, but may move throughout the center during the day.

Unannounced Inspection Policy

- At least one of two mandated monitoring visits must be unannounced; both may be; one inspection per year for part time centers.

Complaint Procedure

-No policies that require immediate closing of a child care center.

-No policies that require only a warning; a reasonable period of time given for a center to come into compliance.

-Resource and referral agencies are notified of center closings by staff contact.

-Complaints against a center are prioritized and investigated.

Staff Qualifications

-Minimum age requirement for working in a center is 18, unless student is in vocational child care program.

-Substitutes must meet all requirements of staff members.

-No information available regarding ADA in staff hiring.

Staff Prescreening

-Each staff member required to sign a statement that he/she has not been convicted of or pleaded guilty to child abuse or other crimes of violence; fingerprinting, criminal records background check, TB skin test or chest X-Ray, measles immunization, and medical examination required; no recent change in TB screening policy.

-For persons that have lived in Ohio for less than 5 years, Ohio does go outside of state lines for criminal background checks and child abuse and neglect checks.

-Crimes that prohibit employment: statute specifies over 30 offenses, generally crimes of violence, sexual offenses, abuse and drug offenses.

-Not required - child abuse clearance and HIB immunization.

-Law does address conditional hiring in day care with a records check.

-3 written references required from individuals not related to the potential employee.

Staff Training

-Preservice education and experience required for center administrators; high school diploma, GED, or Vo-Tech training course required for all other child care center staff.

-Each child care center staff member must obtain 15 hours of in-service training annually until a total of 45 hours of training have been completed unless the staff member shows evidence of completion of an associates degree or higher in CD or ECE from a college or university, or a CDA Credential.

-No special training required for infant care, care of children with disabilities, sick child care, or drop in care.

-First aid training required as a part of the in-service training.

Child Documentation Policy

-Center must have on each enrolled child: emergency medical information, record of immunizations, emergency contact information, record of physical exam, health history, disease history, chronic or special health needs, list of allergies.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Children must have up-to-date immunizations or be in process in order to be enrolled; including HIB immunization.

Discipline Policy
-Corporal punishment is not permitted; positive behavior management techniques must be used.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy
-Not adopted for child care.

Regulatory Process Subcontracting Policy
-OH does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is not permitted in child care centers.

Swimming Pool Policy
-Center requires written permission from parent or guardian before child can participate in water activities in water two or more feet in depth; permission includes child's name, whether child is swimmer or nonswimmer, and if child is granted permission to participate.
-Bodies of water two or more feet in depth will be made unaccessible to children if adult supervision unavailable.
-Child/staff ratio must meet the state's regulations; lifeguards at the pool cannot be counted.
-Someone with Red Cross lifesaving training is needed; may be a pool employee instead of center employees.

Transportation Policy
-Regulations regarding the transportation of children exist; a staff person trained in first aid must be present.

Drop-In Child Care
-"Drop-in" child care is regulated.

Infant Care Programs
-Special regulations regarding kind of facility, daily program, caregivers, hygiene and diapering, feeding and crib arrangement.
-"Infant only" centers provide care to infants from birth to 18 months.

-Of the 3,760 centers, 973 serve infants; no information available on the number of "infant only" centers.

Overnight Care Programs

-No special regulations for overnight care.
-Some centers do provide overnight care, though the exact number is not available; only a few do 2nd shift (3 - 11 pm); much fewer do 3rd shift (11 pm - 7 am); families do not seem to use the service even when offered.

Programs for Children with Disabilities

-A center providing care for a child with a disability or who requires treatment for health conditions shall do so in accordance with a written medical/physical care plan for the care of the child. This plan must be approved by both the child care staff member with primary responsibility for the child and parent, as well as the center administrator.

School Age Care Programs

-Separate rules of school age programs adopted in 1992.
-School age programs provide care for children aged kindergarten and above.

Sick Child Care Programs

-No separate regulations.

Subsidized Programs

-Contact Bureau of Child Care, DHS, 65 E. State St., 5th Floor, Columbus, OH 43215; (614) 466-1043.

Reporting Child Abuse and Neglect

-Cases of child abuse and neglect are handled by Children Services Boards or County Human Services Departments located in 88 counties around the state; each county has its own agency for handling complaints; a phone call to one of the five district offices will lead to an appropriate referral.

Local Contacts

-The state has regional districts around the state (Columbus, Cleveland, Cincinnati, Canton, and Toledo).

New or Pending Legislation

-None.

+ Information not reverified by state.

OKLAHOMA (OK)

Information
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Office of Child Care
Department of Human Services
P.O. Box 25352
Oklahoma City, OK 73125
PHONE: (405) 521-3561
FAX: (405) 522-2564

Number and Definition of Regulated Programs

-**1,912** licensed centers.
-Prekindergartens not included in the number of licensed centers; religiously affiliated centers and nursery schools are included.
-For program operating 15 or less hours a week, licensure is not required.

Requirements

-License required; minimum of 3 monitoring visits required prior to licensure.
-Licenses are renewed every 2 years; no fee.
-Separate inspections are required by Fire and Health (Food Service and Sanitation) Departments; building code inspections required only if city codes require it.
-General or professional liability insurance not required; only transportation liability required.
-Physical security of the child care center, such as a card access system, is not required; however do require written procedure for receiving and releasing children from the center including a method of verifying the identity of a caller or person picking up a child.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.; play space only is counted.
-Staff/child ratios and group size delineations:
 -Infants (0 through 9 months) - 1:4; maximum group size - 8.
 -Toddlers (10 through 23 months) - 1:6; maximum group size - 12.
 -2 year olds - 1:8; maximum group size - 16.
 -3 year olds - 1:12; maximum group size - 24.
 -4 and 5 year olds - 1:15; maximum group size - 30.
 -6 year olds and over - 1:20; maximum group size - 40.
OR
 -0 - 35 months - 1:6 (No more than two under 10 months per staff)
 -0 - school-age - 1:8 (No more than two under 2 years per staff)
 -2 - school-age - 1:12 (No more than four 2 year olds per staff)
 -3 - school-age - 1:15 (No more than six 3 year olds per staff)
 -4 - school-age - 1:18 (No more than eight 4 year olds per staff)

-Naptime staff/child ratios: no change for infants, toddlers and twos; for 3-5 year olds - when preschool children are resting quietly, at least one staff person shall be within vision and hearing of children and other staff required to meet staff/child ratios shall remain in the building.
-There must be staff on the premises with pediatric first aid, including rescue breathing and first aid for choking.

Unannounced Inspection Policy
-There are a minimum of 3 unannounced monitoring visits each year.

Complaint Procedure
-An emergency order through licensing policies or injunction through the District Attorney may be obtained if children at risk.
-Non-compliance is documented and centers are informed if non-compliance is jeopardizing their license.
-Length of time center has to come into compliance depends on the seriousness of the violation - anywhere from one day to one year.
-Resource and referral agencies are notified of all case closures.
-Complaints registered against a center are investigated; parents who request a follow-up are recontacted after the investigation is completed.

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement: director, 21 years; lead teacher, 19 years; teacher, 18 years; assistant teacher, 16 years.
-Compliance with ADA in staff hiring is reinforced through contracts for services that prohibit discrimination.

Staff Prescreening
-TB skin test required for staff upon employment and annually thereafter; chest x-ray required if positive skin test reaction; criminal records background checks on new staff also required.
-Employees that have resided in the state of Oklahoma for less than one year must have criminal records from their previous state of residence obtained on them.
-Crimes that prohibit employment: violence against a person, child abuse or neglect, possession, sale or distribution of illegal drugs, sexual misconduct and gross irresponsibility or disregard for the safety of others.
-Not required - child abuse clearance, but staff must sign a statement regarding involvement in an investigation, conviction or pleading guilty and a release permitting full background check.
-Not required - fingerprinting, medical examination, AIDS test, Hib and measles immunizations, drug & alcohol tests.
-3 references other than relatives required on the director.
-3 references must be obtained by the director on all staff, including previous employers prior to employment.
-Permanent substitute staff must meet all requirements.

Staff Training
-All staff must receive detailed orientation within one week of employment; 5 options exist involving education and experience required for directors of

centers licensed for less than 60; 8 options exist for directors of centers licensed for 60 or more; teachers must be High School graduates; no preservice education and/or experience requirements for the dietician/ kitchen staff.
-12 hours annual training required for teachers; 20 hours annual training for directors.
-No special training is required for infant care, care of children with disabilities, sick child care, or drop in care.

Child Documentation Policy
-Required health records and attendance records for all children.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children are required to be immunized, including Hib immunization.

Discipline Policy
-Corporal punishment is one of ten prohibited activities.

Emergency Medical Consent Policy
-Only permission authorizing center to transport child to emergency medical care is required and does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.
-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy
-Has been adopted; local building codes enforced; when no local exists, state-adopted code is enforced.

Regulatory Process Subcontracting Policy
-OK does not subcontract any or all of the child care center regulatory process to a public or private organization/agency.

Smoking Policy
-Tobacco products are prohibited in child care facilities.

Swimming Pool Policy
-Swimming pools must meet requirements for public bathing places.
-Child/staff ratio affected: under 2 - 1:1; 2 years of age - 1:2; 3 years of age - 1:6; 4-5 years of age - 1:7; six years of age and over - 1:10.
-Staff required to have certified lifeguarding training or there must be a certified lifeguard.
-Prohibited swimming and boating in lake or pond, use of saunas, spas or hot tubs, and portable wading pools.

Transportation Policy
-Detailed regulations for the transportation of children, including mandatory passenger restraints.

Drop-In Child Care
-Separate regulations for "drop-in" child care exist. "Drop-in" care is defined as a child care program that provides care for children on a drop-in basis, where no child is in attendance for more than six hours a day for a minimum of 24 hours a week. Drop-in requirements are an appendix to the Child Care Centers Requirements.

Infant Care Programs
-No separate regulations for centers which serve infants, but there is a section that addresses infant/toddler care, including feeding, diaper changing, toilet learning and program.
-No centers provide care to "infants only."

Overnight Care Programs
-Special regulations include: compliance with child/staff ratio; all staff must be awake at all times; emergency lighting devices must be installed throughout centers; sleeping accommodations restricted to ground floor areas; breakfast must be available to children who spent the night; cots with pad, pillow and necessary bedding provided; provisions made for bathing and brushing of teeth; centers will not keep children for more than 24 continuous hours; centers providing overnight care must meet state-adopted building codes.
-Approximately 2% of centers provide overnight care.

Programs for Children with Disabilities
-There is a section in center requirements that addresses care of children with disabilities.
-Compliance with ADA in providing services to children is reinforced through contracts for services that prohibit discrimination.

School Age Care Programs
-Separate regulations for programs only serving school-age children; required for programs operating more than 15 hours per week.
-Current center requirements have a section on school-age care as well as differential equipment, supervision and meal service requirements.

Sick Child Care Programs
-Both the law and regulations limit care of sick children.

Subsidized Programs
-Contact Susan Hall, Family Support, Dept. of Human Services, (405) 521-3931.

Reporting Child Abuse and Neglect
-Report to local county offices or to statewide hotline (800) 522-3511.
-Post child abuse reporting requirement.

Local Contacts

-128 staff (includes 21 supervisors, 107 licensing representatives), located in 50 of the 77 counties in the state.

New or Pending Legislation

-Children in cahild care are now required to obtain a varicella (chicken pox) and Hepatitis A immunizations.

OREGON (OR)

Information
Supplied by:
Linda Stern, Licensing Manager
Child Care Division
Employment Department
875 Union Street, NE
Salem, OR 97311
PHONE: (503) 947-1400
FAX: (503) 947-1428

Number and Definition of Regulated Programs

- **970** licensed centers.
- Centers have 13 or more children; preschools (4 hours per day or less) are not licensed; number of licensed centers includes religiously affiliated, not nursery schools & prekindergartens.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed annually; fee is $2/slot and one time initial fee of $100.
- Fire safety and sanitation inspections required annually; building code inspection required initially and if building is remodeled.
- General and/or professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft., for at least 1/3 the capacity.
- Staff/child ratios: infants - 1:4; toddlers - 1:4; preschool - 1:10; school age - 1:15; mixed age - ratio of lowest age in group.
- Naptime staff/child ratios: when all children are at rest, one caregiver is required if room is arranged so all children are supervised; other staff must be in facility and able to be summoned without leaving the room.
- Group size delineations: 6 weeks - under 30 months (maximum group size - 8); 30 months - 5 years (maximum group size - 20); and 5 years and older (maximum group size - 30).
- One person required on premises at all times with current first aid certification.

Unannounced Inspection Policy

- An attempt is made to make one unannounced monitoring visit per year, but not all centers are visited by drop in.

Complaint Procedure

- Center can be closed immediately by suspension if children are in danger.

-Operators get a warning of any pending legal action, except suspension; receive a warning unless children are endangered.
-Centers have maximum of 6 months to come into compliance under a temporary certificate.
-Resource and referral's notified by telephone if center is closed.
-Regulatory complaints are handled by the center's certifier.

Staff Qualifications

-No state recommended salary schedule.
-Minimum age requirement for teacher aides is 16; minimum age requirement for remaining staff is 18 years.
-Basic EEOC laws apply.

Staff Prescreening

-Staff required to be prescreened by child abuse clearance and criminal records background check.
-Some criminal records checks go outside of state lines; individuals who want to work in child care must be enrolled in the Criminal History Registry after being cleared through criminal and child abuse checks.
-Crimes that prohibit employment: murder, assault, kidnapping, sexual offenses, child neglect and other crimes of a serious nature.
-Fingerprinting may be required under certain circumstances.
-Not required - TB skin test, chest x-ray, medical exams, AIDS, Hib and measles immunizations, drug and alcohol tests; no recent change in TB screening policy.
-Conditional hiring allowed if no state criminal record, but FBI check pending because of residency requirement.
-3 written references required for center directors.
-Criminal record checks must be done for temporary substitute if he/she has or may have unsupervised contact with the children.

Staff Training

-Center directors required to have 1 year experience or training in management or supervision; lead/head teacher required to have 2 years experience or training in ECE or child development; teachers required to have 1 year experience or training; no requirements for teacher aides or other support staff.
-15 clock hours annual training required.
-No special training for infant care, care of children with disabilities, sick child care, or drop in care.

Child Documentation Policy

-Certain records must be maintained for each enrolled child.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children are required to be immunized, including Hib immunization.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Written consent is required, but it does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, lead or radon as a condition of licensure; however, they must be approved by State Health Division and State/Local Fire Marshal.

-There is no state financial assistance for the inspection or remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code

-Uniform Fire Code and Uniform Building Codes are adapted as working codes and are required for operators to get required permits.

Regulatory Process Subcontracting Policy

-OR does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Staff shall smoke only in a designated area not used by children, for food preparation, dish washing, or for storage of food or cooking equipment and utensils.

Swimming Pool Policy

-Center operator must make requirements of swimming facility known to all staff working directly with children.

-Number of staff with the children shall be determined by the ages of the children, their swimming ability, depth of the water, and type of activity; in addition to center staff, parents, volunteers and, sometimes, pool personnel may be counted in meeting required child/staff ratio; pool personnel counted for instructional swimming, recreational swimming when only day care children in the water, and recreational activities when other children in the water, but pool personnel only watching day care children; all persons counted in child/staff ratio shall be able to swim if water is more than 48 inches deep, and dressed for swimming.

-For group of 1-15 non-swimming children, for group of 1-30 beginning swimmers, and each additional group of non-swimmers and/or beginners participating in water activities, there must be at least one person meeting these qualifications: Holds current American Red Cross Advanced Life Saving or Lifeguard Training Certificate, YMCA Senior Lifeguard, or equivalent; completed cardiopulmonary resuscitation training that includes infant and child resuscitation; and is familiar with safety equipment at the swimming facility.

-Swimming pool or wading pool operated by center must comply with Oregon State Health Division's Public Swimming Pool Rules (OAR 333-60-005 - 333-60-225).

-Written medical emergency procedure with current emergency numbers posted at swimming area or in possession of staff person; first aid supplies in a designated place available at all times; center must make necessary modifications of requirements based on needs for developmentally disabled child.

Transportation Policy

-Separate regulations for the transportation of children exist.

Drop-In Child Care

-"Drop-in" child care is only regulated if parents are not on-site.

Infant Care Programs

-Separate regulations for centers which serve infants exist.

-There are centers in the state which provide care to "infants only," defined as birth-30 months.

Overnight Care Programs

-During hours of night care, child/staff ratio shall be maintained; there will be at least two staff persons present at all times, at least one awake at all times; no one allowed to enter except authorized persons; center shall provide staff training for evacuating sleeping children in emergencies; emergency lighting in each room used by children.

-Center will provide activities for children according to age and interests; quiet time activities before bed for each child; toys and equipment available for the needs of each child; activity area away from sleeping children for awake children; space must be arranged so children can go to sleep at various times; all sleeping rooms require two usable exits; children spending majority of sleep hours in care shall have crib, cot or mat with bedding; children shall not share beds; beds will have linens, cleaned with new occupants or once a week; children will have individual toiletry items; evening meal and breakfast available to those children in care at that time.

-There are no centers providing overnight care.

Programs for Children with Disabilities

-No separate regulations for caring for children with disabilities; mainstreaming is not required, but discrimination is precluded.

-ADA is advertised by Oregon Disabilities Commission, 1275 Ferry St. SE., Salem, OR 97310; (503) 378-3142.

School Age Care Programs

-School age children have opportunities to choose from: a) indoor and outdoor group activities; b) individual projects including homework; c) rest or relaxation. The center is required to have activities and equipment appropriate for school age children.

-Separate regulations for school age child care do not exist.

Sick Child Care Programs

-Separate regulations for caring for sick children.

Subsidized Programs

-Contact Larry Shadbolt, Adult and Family Services, Human Resources Building, Salem, OR, 97310; (503) 945-6072.

-Special populations - teen parent, A&D migrant - contact Gary Scott, Child Care Division, (503) 378-3178.

Reporting Child Abuse and Neglect

-Contact the local SCF (formerly CSD) branch offices or any law enforcement agency; for statewide information, call (503) 378-4722.

Local Contacts

-METRO AND WESTERN REGIONS
 -State Office Building, 800 NE Oregon, Rm 305, #34, Portland, OR 97232
  -Multnomah Service Area: (503) 731-4234
  -Multnomah, Hood River, Wasco: (503) 731-3185
  -Clackamas Service Area: (503) 731-4214
  -Washington, Columbia, Clatsop: (503) 731-3176
  -Washington, Tillamook: (503) 731-3175
 -Child Care Division, 875 Union St., NE, Rm. 103, Salem, OR 97311
  -Lincoln, Polk, Marion: (503) 947-1419
  -Marion, Yarnhill Service Area: (503) 947-1418

-SOUTHERN REGION
 -Eugene Field Office - #310, Employment Department, 2510 Oakmont Way, Eugene, OR 97401
  -Lane Service Area: (541) 687-7392 X273
  -Lane, Linn Service Area: (541) 687-7392 X272
  -Lane, Benton Service Area: (541) 687-7392 X271
 -Medford Field Office - #410, Employment Department, 119 N. Oakdale St., P.O. Box 1068, Medford, OR 97501
  -Curry, Jackson, Klamath, Lake: (541) 776-6060 X231
  -Josephine, Douglas, Coos Service Area: (541) 776-6060 X261

-EASTERN REGION
 -Bend Field Office - #720, Employment Department, 1007 SW Emkay Drive, Bend, OR 97702
  -Crook, Deschutes, Jefferson Service Area: (541) 388-6070 X259
 -John Day Field Office - #921, Employment Department, 725 W. Main Street, Suite B, John Day, OR 97845
  -Baker, Gilliam, Grant, Harney, Malheur, Morrow, Sherman, Umatilla, Union, Wallows, Wheeler Service Areas: (541) 575-0744 X24

New or Pending Legislation

-None.

PENNSYLVANIA (PA)

Information
Supplied by: Susan Miller, Chief
Licensing Operations
OCYF, Bureau of CDC Services
P.O. Box 2675
Harrisburg, PA 17105
PHONE: (717) 787-8691
FAX: (717) 787-1529

Number and Definition of Regulated Programs

- **3,508** certified child care centers.
- Nursery schools are licensed by PA Department of Education, child care provided before and after nursery school hours falls under the jurisdiction of the Department of Welfare child care services; prekindergartens would come under either of these two departments day care services, depending on the services provided, length of program, and ages of children serviced.
- Religiously affiliated centers under the jurisdiction of the child care statute and may be certified.

Requirements

- Certification required; initial inspection, annual inspection and follow-up inspection for areas cited as noncompliant.
- Certifications are renewed annually; no fee.
- Fire safety and building code inspection required initially and at relocation, construction or modification.
- General liability insurance required; no professional liability insurance required.
- Physical security of the child care center (such as a card access system) is not addressed by the state, but a parent is permitted free access without prior notice, throughout the center, whenever children are in care.

Regulations

- Space requirements per child: 40 sq. ft.; indoor/outdoor play area - 65 sq. ft., except in the following situations: infants - 40 sq. ft., young/older toddler - 50 sq. ft.
- Staff/child ratios: infants 1:4; young toddlers - 1:5; older toddlers - 1:6; preschool - 1:10; young school age - 1:12; older school age - 1:15; mixed age groups - based on the age level of the youngest child in the group.
- Naptime staff/child ratios: for young toddlers - 1:10; for older toddlers - 1:12; for preschoolers - 1:20; no reduced staff/child ratios during napping for infant care.
- Mixed age level: infants and young/old toddlers - 1:4; infant/preschool - 1:4 young toddler/preschool - 1:5; older toddler/preschool - 1:6; preschool/young or older toddler/schoolage - 1:10

-Group size delineations: infants (maximum group size - 8); young toddlers (maximum group size - 10); older toddler (maximum group size - 12); preschool (maximum group size - 20); young school age (maximum group size - 24) and older school age (maximum group size - 30).

Unannounced Inspection Policy

-Random basis or as an unannounced follow-up visit after a complaint allegation, or when a facility demonstrates an inability to maintain regulatory compliance.

Complaint Procedure

-Negative sanctions usually provide the right to operate during appeal; injunctive relief and emergency closure are available in situations where gross violations of the law or regulations have occurred.

-No DPW policies, statue or regulation that requires only a warning. When noncompliance with regulations is cited, the provider has an opportunity to correct.

-Length of time center has to come into compliance varies, depending on the violation; generally the established timeframe is 30 or fewer days.

-Resource and referral agencies are notified when a subsidized center is closed; if a facility provides subsidized care, the local Child Care Information System (CCIS) is informed to cease payment and/or referrals to the facility.

Staff Qualifications

-Director: [1] a BA or BS from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children, OR
[2] a BA or BS degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 2 years of experience with children, OR
[3] an AA or AS degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 3 years of experience with children, OR
[4] an AA or AS degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 4 years of experience with children.

-Group Supervisor: [1] a BA or BS from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field, OR
[2] a BA or BS degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services and 1 year of experience with children, OR
[3] an AA or AS degree from an accredited college or university in early childhood education, child development, special education, elementary education, or the human services field and 2 years of experience with children, OR
[4] an AA or AS degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education,

elementary education or the human service field and 3 years of experience with children.
-Assistant Group Supervisor: [1] a high school diploma or GED certificate and 30 credit hours from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field, OR
[2] a high school diploma or GED certificate, including 600 or more hours in secondary training described as the CDA or CCP, OR
[3] a high school diploma or GED certificate, 15 credit hours from an accredited college or university in early childhood education, child development, special education, elementary education or the human service field and 1 year of experience with children, OR
[4] a high school diploma or GED certificate and 2 years of experience with children.
-Aide: [1] a high school diploma or GED certificate, OR
[2] minimum of an 8th grade education and enrollment in a training curriculum described as the CDA or CCP (classroom portion of training must be completed and documentation on file), OR
[3] minimum of an 8th grade education and 2 years of experience with children.
-No state recommended salary schedule for center staff.
-Minimum age requirement for staff - 18 years; 16 years, if person is enrolled in a state approved child care training program and the classroom portion of the training has been completed.
-Facilities are required to comply with provisions of ADA in hiring staff.

Staff Prescreening

-Health assessment conducted with 3 months prior to providing initial service in a child care setting and annually thereafter is required.
-Staff required to be prescreened by child abuse clearance, criminal background check, and medical examination including TB test or chest x-ray as ordered by the physician; after 1992 only Mantoux test is permitted.
-Criminal records checks go outside of state lines when the Applicant is not a resident of Pennsylvania.
-Crimes that prohibit employment: felony, child abuse, child neglect, moral turpitude or physical violence, persons named as a perpetrator in an indicated or founded report of child abuse.
-Not required - Hib and measles immunization, fingerprinting, AIDS test, drug and alcohol tests.
-2 written references required from non-relatives.
-30 day conditional hiring is permitted pending child abuse and criminal abuse clearances, but health information must be present on the first day of work with children and at least annually thereafter.
-Substitutes must have a health assessment if in contact with children or working with food, as well as application and verified education, experience and references.

Staff Training

-All staff positions require previous education and/or experience.
-6 hour annual in-service training required.
-First aid training required for at least one staff on all duty shifts.

-No special training required for infant care, sick child care, or drop-in care; key staff are required to have training in the care of children with disabilities.

Child Documentation Policy

-Enrollment forms and immunizations required.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Immunization according to the American Academy of Pediatrics suggested schedule, including Hib and varicella; state law in the case of measles vaccine.

Discipline Policy

-No physical punishment permitted; food can not be withheld from child for purposes of discipline.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, lead or radon as a condition of licensure.

-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has been adopted; child day care regulations require PA Department of Labor and Industry inspection under fire and panic regulations for L&I certificate of compliance. L&I standards follow the NLFS code; cities of Philadelphia, Pittsburgh and Scranton are regulated by the city Departments of License and Inspection whose standards are based on BOCA code.

Regulatory Process Subcontract Policy

-PA does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Cigarettes, pipes, or cigars may not be smoked in a child care space, a play space, or a food preparation area when children are in care or when food is being prepared; ashes and cigarette and cigar butts are prohibited in a child care space, a play space or a food preparation area.

Swimming Pool Policy

-Swimming pool shall conform to PA Code; inground pool shall be fenced with locked gate; aboveground and indoor pool which is not in use shall be made inaccessible to children.

-Staff child ratios while children are swimming: infant 1:1; younger or older toddler - 1:2; preschool - 1:5; young school age - 1:6; and older school age - 1:8.

200

- Supervision shall include one person certified in lifeguard training. That person may not be included in staff/child ratio.
- Facility person who is counted in staff/child ratio shall complete water safety instruction annually; staff not required to have Red Cross lifesaving training.
- For wading pools a sanitizing solution shall be added to water; an acceptable sanitizing solution is 3/4 tsp. of bleach added to 50 gallons of water; wading pool shall be emptied daily.

Transportation Policy

- An operator shall notify local traffic safety authorities annually in writing of location of the facility and the program's use of pedestrian and vehicular routes around the day care facility.
- Safe pedestrian crossways, pick-up and drop-off points and bike routes shall be appropriately determined in the vicinity of the facility and communicated to the children and parents in writing.
- Written notification of safe routes shall be posted by the operator at a conspicuous location in child care facility.
- Children shall be picked up and discharged only at locations specific by the facility as safe locations.

Drop-In Child Care

- Separate regulations do not exist for "drop-in" child care.

Infant Care Programs

- There are infant-specific regulations related to meals and feeding.
- No data available on number of "infant only" centers.

Overnight Care Programs

- PA term - "night care" from 7 PM to 7 AM.
- Additional special regulations on staff/child ratios, supervision, napping and sleeping, evening snacks, restraints, evening activities, storage space, rest equipment and bathing.
- No data available on number of centers which provide overnight care.

Programs for Children with Disabilities

- Chapter of regulations on care of children with disabilities applies to all facilities which provide care for a child with special needs.
- Facilities are required to comply with provisions of ADA in providing services to children.

School Age Care Programs

- Separate regulations do not exist. A section of the current child care regulations provides requirements for a facility in which care is provided exclusively to school age children. Such a facility has to comply at minimum with requirements specific to school age programs (section 3270.241). Any licensed facility may enroll before/after school or summer school age children providing the facility operates in compliance with the text of regulations, 3270.1-3270.210.

Sick Child Care Programs

-No separate regulations.

Subsidized Programs

-Available for income eligible families; contact Department of Public Welfare. (717) 787-8691.

Reporting Child Abuse and Neglect

-Call (800) 932-0313.

Local Contacts

-Department of Public Welfare Regional Offices:
-Western Region
701 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-5183
(800) 222-2149 (in-state)

-Central Region
P.O. Box 2675
Harrisburg, PA 17105
(717) 772-7078
(800) 222-2117 (in-state)

-Northeast Region
100 Lackwanna Avenue
339 Scranton State Office Bldg.
Scranton, PA 18503
(717) 963-4371
(800) 222-2108 (in-state)

-Southeast Region
502 State Office Building
1400 Spring Garden St.
Philadelphia, PA 19130
(215) 560-2541
(800) 346-2929 (in-state)

New or Pending Legislation

-None.

PUERTO RICO (PR)

Information
Supplied by: Rosalia Cruz Gomez
Acting Director
DSS - Licensing Office
P.O. Box 11398
Santurce, PR 00910
PHONE: (809) 724-0772
FAX: (809) 724-0767

Number and Definition of Regulated Programs

-**480** licensed centers.
-Nursery schools, preschools and religiously affiliated centers are included.

Requirements

-License required; preapproval inspection required.
-Licenses are renewed every 2 years; no fee.
-Fire inspection and Health Department inspections required annually; building code inspection required (number of times determined by the agency).
-Only general liability insurance required.
-Physical security of the child care center is addressed by keeping a photo on file of individuals authorized to pick up children and accompanying permission forms; no other form of security system is addressed.

Regulations

-Space requirement (determined by the Fire Department) per child: indoor - 35 sq. ft.; outdoor - none, only requirement is to have a play yard.
-Staff/child ratios: infant - 1:3-4; toddlers - 1:3-4; preschool - 1:12; school age 1:12.
-Naptime staff/child ratios: no change; same as above.
-Group size delineations: no maximums.

Unannounced Inspection Policy

-All inspections are unannounced.

Complaints Procedure

-Policies that require immediate closing of a center exist.
-Length of time center has to come into compliance depend upon the recommendation of the supervisor.
-The different regional offices of the island investigate right away any complaint registered against a center.
-Resource and referral agencies not notified when center is closed.

Staff Qualifications

-No recommended salary schedule for center staff-at least minimum federal salary.
-Child Development Associate (CDA) or 3 years of experience for the director; one year of experience for lead/head teacher; high school graduate for assistant teachers, teacher aides and dietician and kitchen staff.
-No information available about minimum age requirements.
-Facilities must comply with ADA for hiring practices.

Staff Prescreening

-Staff required to be prescreened by criminal background check every 6 months; chest x-ray and medical examination required annually; no recent change in TB screening policy; Hib and measles immunization also required.
-Crimes that prohibit employment: no information available.
-Not required - fingerprinting, child abuse clearance, TB skin test, AIDS test, drug and alcohol tests.
-Conditional hiring prior to results of prescreening not allowed.
-No written references required.

Staff Training

-No annual in-service training required.
-No special training required for infant care, care of children with disabilities, sick child care or drop-in care.
-All staff should have training in CPR or be a graduate nurse.

Child Documentation Policy

-Health certificate, vaccination record, and authorization for medical treatment in case of an accident required for each enrolled child.
-Children are not required to be screened for blood lead level prior to acceptance into a licensed facility.

Child Immunization Policy

-Immunizations required; Hib not required.

Discipline Policy

-Corporal punishment is prohibited.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Licensed facilities are tested for the presence of lead, asbestos, and radon as a condition of licensure; results are shared with the licensing office and if it is positive and the facility has to be closed by the Health Department, the licensing office receives a certified copy.
-No state financial assistance is available for inspection or remediation of child care facilities for lead, asbestos or radon.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontract Policy
-No information available.

Smoking Policy
-Smoking is prohibited in child care facilities except in specific designated smoking areas which meet the following conditions: the smoking area must be clearly identified, facility must have an adequate ventilation system to prevent the movement of smoke from the smoking area to the non-smoking areas, when possible smoking areas should be open and well-ventilated and if closed fitted with air purifiers and ventilators, area shall be provided with ash trays and fire extinguishers, area shall be accessible only to the teachers and employees.

Swimming Pool Policy
-No specific regulations.

Transportation Policy
-Transportation under regulation of Public Service Commission.

Drop-In Child Care
-Separate regulations do not exist; "drop-in" care has the same regulations as child care centers.

Infant Care Programs
-Separate regulations for centers serving infants; no "infant only" centers.

Overnight Care Programs
-No special regulations.

Programs for Children with Disabilities
-Separate regulations for the care of children with disabilities regarding staff education, staff/child ratios, and equipment; facilities must comply with ADA; services cannot be denied to a child with a disability.

School Age Care Programs
-Separate regulations exist; the Education Department regulates school age child care through the "General Education Council".

Sick Child Care Programs
-Centers are not supposed to care for sick children.

Subsidized Programs
-Not available.

Reporting Child Abuse and Neglect
-Call (809) 724-1333 or (809) 724-1373.

Local Contact
-10 regional offices and a local office in each of the 78 towns.

New or Pending Legislation

-None.

RHODE ISLAND (RI)

Information
Supplied by: JoAnne K. Flodin
Child Development Specialist
Dept. of Children, Youth and Families
610 Mount Pleasant Avenue
Providence, RI 02908
PHONE: (401) 222-4741
FAX: (401) 457-5331

Number and Definition of Regulated Programs

- **360** licensed centers.
- Nursery schools are approved by the Dept. of Education, 255 Westminster St., Providence, RI, 02903-3400; some are also licensed for child care.
- Religiously affiliated centers are licensed.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed annually; no license fee.
- Fire safety, building code, and health inspections required annually.
- General liability insurance required; no professional liability insurance required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 45 sq. ft. under 3 years; 35 square ft. over 3 years; outdoor - 75 sq. ft.
- Staff/child ratios: infants - 1:4; toddlers - 1:6; 3 year olds - 1:9; 4 year olds - 1:10; 5 year olds - 1:12; school age - 1:13; mixed age groups depends on number/age of youngest child in group.
- Naptime staff/child ratios: allow exception for a period not more than 1 hour at arrival, departure, naptime or special activities.
- Group size delineations: 6 weeks - 18 months (maximum group size - 8); 18 months - 3 years (maximum group size - 12); 3 years (maximum group size - 18); 4 years (maximum group size - 20); and 5 years (maximum group size - 24).
- Must have person trained in CPR/first aid on site at all times.

Unannounced Inspection Policy

- Two unannounced monitoring visits each year; additional are done if a complaint is received.

Complaint Procedure

- If health and/or safety of the children is in jeopardy, center required to close immediately.

- Minor violation of regulations requires warning and plan of correction.
- Center has up to 30 days to come into compliance depending on nature of violation.
- Resource and referral agencies notified when a center is closed.
- Complaints pertaining to violations of regulations registered against a center are investigated by the licensing worker; child abuse complaints investigated by CANTS division of DCYF.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Minimum age requirement for working in a center is 18.
- No information available regarding ADA in staff hiring.

Staff Prescreening

- Staff required to be prescreened by fingerprinting, child abuse clearance, criminal background check, TB skin test, measles immunization, and medical examination once prior to employment.
- Documentation of rubella immunity required for female staff ages 35 and under.
- Criminal records checks and neglect checks go outside of state lines.
- Crimes that prohibit employment: crimes of a moral or violent nature.
- Not required - chest x-ray, AIDS test, Hib immunization, drug and alcohol tests; no recent change in TB screening policy.
- Conditional hiring prior to results of prescreening is allowed.
- Centers have to have a list of substitutes who have to comply with staff requirements.

Staff Training

- Preservice education and experience required for lead/head teachers, assistant teachers, nurse, and center directors; no requirements for teacher aides, dietician and kitchen staff.
- Annual in-service training required.
- Nurse required to have special training for infant care; no special training for care of children with disabilities.

Child Documentation Policy

- Center required to have on record: age of child by program, medical and immunization information, emergency information, identifying information on parents and child.
- Children are required to be screened for blood lead level prior to acceptance into a licensed child care facility.

Child Immunization Policy

- Enrolled children are required to be immunized or in the process of being immunized; including Hib immunization.

Discipline Policy

- Corporal punishment is prohibited.

Emergency Medical Consent Policy

- Written consent is required, but it does not have to be notarized.

Environmental Policy

-Regulations require testing for the presence of asbestos, lead or radon as a condition of licensure; files are kept by the Department of Health.

-No state financial assistance is available for the inspection and remediation in child care facilities for asbestos or radon. Lead inspections are done by the Health Department free of charge.

National Life Safety Fire Code Policy

-Has been adopted.

Regulatory Process Subcontract Policy

-RI does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; it has never been considered.

Smoking Policy

-Smoking is prohibited in center facilities.

Swimming Pool Policy

-Must be approved by the Department of Health.

-Red Cross lifesaving training for staff and child/staff ratios are addressed by the Health Department.

Transportation Policy

-Regulations concerning the transportation of children exist under the Dept. of Transportation.

Drop-In Child Care

-Currently, RI has no "drop-in" child care centers; however, regulations do exist and licensure is required for any drop-in child care facility.

Infant Care Programs

-Separate regulations for centers which service infants.

-No centers provide care to "infants only."

Overnight Care Programs

-No special regulations for overnight care.

-No centers currently provide overnight care.

Programs for Children with Disabilities

-Mainstreaming of children with disabilities is required.

-Compliance with ADA in providing services to children is addressed in regulations.

School Age Care Programs

-Separate regulations for before and after school programs.

Sick Child Care Programs

-Sick children have to be excluded from day care center programs.

Subsidized Programs
-Contact Dept. of Human Services, 600 New London Ave., Cranston, RI, 02920; (401) 464-3415.

Reporting Child Abuse and Neglect
-Call (800) RI-CHILD.

Local Contacts
-Dept. of Children, Youth and Families is statewide.

New or Pending Legislation
-None.

SOUTH CAROLINA (SC)

Information
Supplied by: Lauren Staudt. Day Care Regulatory Consultant
DSS. Division of Child Day Care
Licensing and Regulatory Services
P.O. Box 1520
Columbia. SC 29202
PHONE: (603) 734-5740
FAX: (603) 734-4322

Number and Definition of Regulated Programs

- -**1,731** licensed centers (number includes nursery schools and prekindergartens).
- -**313** registered religiously affiliated centers; 76 licensed churches or religiosly affiliated centers; numbers included above.

Requirements

- -License required; inspection required.
- -Registration only required for religiously affiliated centers; reflects adherence to minimum standards for health and safety.
- -License renewed every 2 years; no license fee.
- -Separate inspections required before opening and at renewal time by the Fire and Sanitation Department; verification of zoning approval also required.
- -General and/or professional liability insurance not required.
- -Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- -Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
- -Staff/child ratios: infants - 1:6; 1-2 years - 1:6; 2-3 years - 1:10; 3-4 years - 1:13; 4-5 years 1:18; 5-6 years 1:21; 6-12 years - 1:23; mixed age groups as indicated.
- -Naptime staff/child ratios: 0-2 years - 1:8; 2-3 years - 1:12, 3-4 years - 1:15; 4-5 years - 1:20; and 5 years and up - 1:25.
- -Group size delineations: none.
- -A staff per certified in CPR/first aid must be present on premises at all times during hours of center operation.

Unannounced Inspection Policy

- -Regular visits are unannounced unless visit is for renewal of license/approval.

Complaint Procedure

- -No policy that requires the immediate closing of a day care facility unless circumstances place children at risk.
- -No policy that requires a warning.
- -Complaints registered against a facility are responded to within 5 days.

-Facilities have no longer than a year to come into compliance.
-Resource and referral agencies are not notified when a center is closed.

Staff Qualifications

-No state recommended salary schedule for various staff levels.
-Minimum age requirement for working in a facility: director - 21 years; staff - 18 years without supervision, 16 years with constant supervision.
-Written references from unrelated individuals are required for the director.
-Director shall meet at least one of the following requirements:
 -a bachelor's degree in child development or early childhood education from an accredited college or institution;
 -a bachelor's degree from an accredited college or institution and at least six months verifiable experience as a caregiver in a licensed/approved child care facility;
 -an associate's degree in child development or early childhood education from an accredited college with two years verifiable experience as a caregiver in a licensed/approved child care facility;
 -a diploma in child development or early childhood education from an accredited college or institution with two years verifiable experience as a caregiver in a licensed/approved child care facility;
 -a Child Development Association Credential;
 -a high school diploma or General Educational Development Certificate (GED), in addition to three years experience as a caregiver in a licensed/approved child care facility. One of the three years experience shall be supervision of other child care staff.
-In facilities licensed/approved before the effective date of these regulations, the director shall have five years experience as a director in a licensed/approved child care facility or shall meet at least one of the educational requirements listed above.
-In facilities licensed/approved for the first time after the effective date of these regulations, the director shall comply with the qualifications prior to the issuance of a license/approval or in the cases of a new director, the individual must meet qualifications prior to becoming the facility director.
-Staff shall meet the following:
 -a caregiver who begins employment in a licensed/approved child care center after June 30, 1994, must have at least a high school diploma or General Educational Development Certificate (GED) and at least six months's experience as a caregiver in a licensed or approved child day care facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed/approved child day care facility. Within six months of being employed, a caregiver must have 6 clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed/approved child care facility.
 -a caregiver who has two years experience as a caregiver in a licensed/approved facility and is employed as of July 1, 1994, in a licensed/approved child care center in SC is exempt from the high school diploma and GED requirements.
-Meets requirements of ADA in staff hiring.

Staff Prescreening

-Prescreening required for facility staff providing direct care or having direct access to children without appropriate staff member present: criminal background check, child abuse clearance, state and FBI fingerprint check, medical exam, and TB skin test; chest x-ray required if indicated to follow-up to skin test; no recent change in TB screening policy.
-All criminal records checks and child abuse and neglect clearances go outside of state lines.
-Crimes that prohibit employment: See Code of Laws, (1996 Supplement 20-7-2725 (A)).
-Not required - AIDS, drug and alcohol tests.
-Conditional hiring not allowed prior to results of prescreening.
-Substitutes must meet the same requirements as regular staff.

Staff Training

-Director/operator shall participate in at least 20 clock hours each year.
 -at least 5 clock hours shall be in child growth and development and 5 clock hours shall be in curriculum activities for children.
 -training shall not include first aid and child-infant CPR.
-Staff, with the exception of emergency person(s) and volunteer(s) providing direct care to children shall participate in at least 15 clock hours each year.
 -at least 5 clock hours shall be in child growth and development and at least 5 clock hours shall be in curriculum activities for children.
 -training shall not include first aid and child-infant CPR.
-Director/operator shall provide orientation for new staff, volunteer(s) and emergency person(s) prior to their employment.
-CPR/first aid may be a separate preservice or in-service training requirement.

Child Documentation Policy

-Copy of child's health and immunizations record or certification of immunization for child care [state law amended to include child care - "no shots, no school, no child care"], emergency numbers, doctor information, required for enrollment.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children must be currently immunized, including Hib.

Discipline Policy

-Written parental permission is required for corporal punishment and must be one file in each child's folder.

Emergency Medical Consent Policy

-Written consent required; form does not have to be notarized.

Environmental Policy

-Lead-based paint test required for sanitation inspection; no test for asbestos or radon required.

National Life Safety Fire Code Policy
-DSS regulation states "Private and Public Child Day Care Centers shall comply with the regulations and codes of the State Fire Marshal."

Regulatory Process Subcontracting Policy
-Yes, privatization, or contracting for services, has been considered by the agency. In 1993, when the licensing division was set up into regions, the option for contracting services was discussed and researched. While the decision not to contract was made, issue will in all probability be raised again in the near future as our agency is discussing privatization of services in other areas.

Smoking Policy
-Smoking is permitted in designated areas.

Swimming Pool Policy
-Specific additional regulations exist, including child/staff ratios.
-Staff required to have life saving training.

Transportation Policy
-Specific regulations for transportation of children exist.

Drop-In Child Care
-State does not regulate "drop-in" child care.

Infant Care Programs
-Additional fire regulations for facilities which serve infants; the State Fire Marshal has authority to grant alternate methods of compliance within the intent of the regulations.
-"Infant only" centers exist; number unknown; infants are "birth to 24 months."

Overnight Care Programs
-Additional regulations exist for centers providing overnight care; must be specially licensed; exact number unknown.

Programs for Children with Disabilities
-No separate regulations; required compliance with ADA.

School Age Care Programs
-No separate regulations for before and after school programs.
-Regulation exempt if operating 4 or less hours/day or not more than 2 days/week.

Sick Child Care Programs
-Isolation room must be provided for mildly ill children.

Subsidized Programs
-Contact South Carolina Department of Health and Human Services Finance Commission, 1801 Main St., P.O. Box 8206, Columbia, SC 29202-8206; (803) 253-6154.

Reporting Child Abuse and Neglect

-Cases handled by the County DSS Office, coordinated with the regional DSS regulatory offices.

Local Contacts

-6 regional offices.

New or Pending Legislation

-None.

SOUTH DAKOTA (SD)

Information
Supplied by: Lisa Jordre, Program Specialist
Office of Child Care Services
Department of Social Services
700 Governors Drive
Pierre, SD 57501-2291
PHONE: (605) 773-4766
FAX: (605) 773-7183

Name and Definition of Regulated Programs

- **164** licensed centers.
- Voluntary certification for nursery schools by Department of Education.
- Religiously affiliated centers are included in this number; nursery schools and prekindergartens if they are part of a child care program.

Requirements

- License required for 21 or more children; annual inspection required.
- Licenses are renewed annually; no fee.
- Inspections required annually: life, safety and environmental health.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 50 sq. ft.
- Staff/child ratios: infants - 1:5; toddlers (up to 3 years) - 1:5; preschool (3-6 years) 1:10; schoolage - 1:15; mixed age groups - according to number in each group; ratios must be maintained during all hours of operation.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: maximum group size limited to no more than 20 children; mixed age groups must meet ratio for majority age group except when children under 3 years of age are present. When 3 or more children under age 3 are in the group, 1:5 ratio must be maintained for the children under 3 years.

Unannounced Inspection Policy

- May be made if nature of complaint dictates; also are encouraged periodically if worker time is available.

Complaint Procedure

- There is a response process when a complaint is registered against a child care center.
- Immediate suspension of license of the center required if children are in imminent danger.

- Warning given for any other areas of non-compliance; length of time for corrections determined by corrective action plan.
- No process for notifying resource and referral agencies when centers are closed.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Child care worker must be at least 18 years old; secondary child care workers may be 14 years old under direct and constant supervision of staff.
- Compliance with ADA in staff hiring involves advising between licensing workers and child care providers on a case by case basis.

Staff Prescreening

- Prescreening tests required at the time of hiring: child abuse clearance required at hiring; TB test and chest x-ray or medical exam required at hiring and annually, if positive and no INH therapy received; no recent change in TB screening policy.
- Fingerprinting and criminal records background check required; practice not yet implemented.
- All child abuse and neglect clearances go outside of state lines.
- Crimes that prohibit employment: child abuse, sexual offenses and crimes of violence.
- Not required - AIDS, Hib and measles immunizations, drug and alcohol tests.
- Conditional hiring prior to results of prescreening not allowed.
- Substitutes must meet requirements for child care workers.
- Written references not required: verbal is sufficient but there must be at least three. Verbal reference comments must be documented.

Staff Training

- Preservice education and/or experience only required for: center directors and lead/head teachers; none required for: assistant teachers, teacher aides, dietician or kitchen staff.
- 20 hours of in-service training is required annually.
- No special training required for infant care, care of children with disabilities, sick child care, drop-in care.
- Annual courses in first aid, CPR, health and safety required for all staff.

Child Documentation Policy

- Immunization records, name of parent(s), address, phone number, doctor, emergency contact person required.
- No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

- Enrolled children must be immunized; includes Hib.

Discipline Policy

- Corporal punishment prohibited; this includes humiliating and frightening punishment also.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of lead, asbestos, or radon as a condition of licensure.
-There is no state financial assistance for the inspection or remediation in child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy
-Fire Marshal rules require compliance with Uniform Building Code, 1991 edition.

Regulatory Process Subcontracting Policy
-SD does subcontract a portion of the child care center regulatory process to another public agency. The SD Department of Commerce, Commercial Inspection Division, completes the inspections. Department of Commerce inspectors have been trained to handle a variety including day care programs, restaurants, schools, lottery, etc.

Smoking Policy
-For child care facility of 13 or more children, rule requires a ventilated, designated smoking area.

Swimming Pool Policy
-No guidelines established specifically for pool safety.

Transportation Policy
-Staff/child ratios must be met.
-Children under 5 must be in passenger restraint system.

Drop-In Child Care
-Regulations do exist for "drop-in" child care. "Drop-in" centers must comply with regulations that exist for licensed day care centers.

Infant Care Programs
-No separate regulations.
-3 licensed facilities in the state provide "infant only" care.

Overnight Care Programs
-Special regulations for overnight care include: regular child/staff ratios are to be maintained during all hours of operation.
-Number of centers providing overnight care not provided.

Programs for Children with Disabilities
-No separate regulations.
-Regulations comply with ADA requirements.

School Age Care Programs
-Separate regulations do not exist at this time.

Sick Child Care Programs

-No separate regulations.
-One licensed facilities providing "sick child care" only.

Subsidized Programs

-Contact: Department of Social Services, Office of Child Care Services, (605) 773-4766.

Child Abuse and Neglect

-Call local Department of Social Service Office or local law enforcement agency.

Local Contacts

-District 1:
111 New York, Rapid City, SD 57701; [P] (605) 355-3545; [F] (605) 394-1824

-District 2:
700 Governors Dr., Pierre, SD 57501; [P] (605) 773-4766; [F] (605) 773-7183

-District 3:
420 S. Roosevelt, Box 4730, Aberdeen, SD 57402-4730; [P] (605) 626-2340;
[F] (605) 626-2228

-District 4:
1310 S. Main Avenue, P.O. Box 708, Brookings, SD 57006-0708; [P] (605) 688-4330;
[F] (605) 688-4339

-District 5:
817 W. Russell Street, Ste 202, Sioux Falls, SD 57104-1372; [P] (605) 367-7602;
or (605) 367-7604; [F] (605) 367-5308

-District 6:
3113 N. Spruce Street, Ste. 200, Yankton, SD 57078; [P] (605) 668-3030;
[F] (605) 668-3014

New or Pending Legislation

-Changes as a result of Welfare reform - see Local Contacts.

TENNESSEE (TN)

Information Supplied by:
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Day Care Licensing
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Nashville, TN 37248-9800
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Number and Definition of Regulated Programs

- **3,033** DHS and DOE regulated centers.
- Number includes nursery/preschools.
- Some religiously affiliated programs and school-age programs operated by public schools are regulated by the Department of Education.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed annually; license application fee is $15 to $25, depending on license capacity; money goes to General Fund.
- Fire safety and food/sanitation inspections required annually; building code required by some municipalities.
- General and/or professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 30 sq. ft.; outdoor - 50 sq. ft.; defined as "usable play space" (excludes restrooms, halls, kitchen and office space).
- Staff/child ratios: infants - 1:5; toddlers - 1:7; 2 year olds - 1:8; 3 year olds - 1:10; 4 year olds - 1:15; 5 year olds - 1:20; school age - 1:25; mixed age groups - ranges from 1:6 for infants/toddlers to 1:20 for 4 and 5 year olds.
- Naptime staff/child ratios: ratio in nap room can be 50% of the required ratio if there are enough adults on the premises to meet the normal ratios should an emergency occur; exception - infant/toddler ratios must be maintained.
- Group size delineations: 6 weeks-15 months (maximum group size - 10); 12-30 months (maximum group size - 14); 24-35 months (maximum group size - 16); 3 years (maximum group size - 20); 4 years (maximum group size - 20); 5 years (maximum group size - 20); and 6 years and above (maximum group size - 25). For multi-age groupings: 6 weeks-30 months (maximum group size - 12); 24-47 months and 2-4 years (maximum group size - 16); 30-47 months (maximum group size - 18); 2 1/2 - 5 years (maximum group size - 20); 2 1/2 - 12 years (maximum group size - 10); 3-5 years (maximum group size - 20); 4-5 years (maximum group size - 20); and 5-12 years (maximum group size - 25). Groups can be combined for short periods for a regularly scheduled activity of no more than 30 minutes duration per day as long as staff/child ratios are met.

-At least one staff member currently certified in infant/ child CPR and first aid is required to be on premises at all times.

Unannounced Inspection Policy

-Once a year and as situation requires to monitor or investigate complaints.

Complaint Procedure

-If children are in immediate danger, DHS can get a temporary restraining order and simultaneously suspend license; all other violations receive notice and request for corrective action.
-Length of time center has to come into compliance varies with degree of danger or threat of harm.
-Resource and referral agencies notified when a center is closed.
-Response to a complaint registered against a center is immediate if harm is implied; if relating to lesser violations, investigation is delayed until next site visit; report back to complainant if requested.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for working in center - 18 years.
-TN has a "compliance packet" for centers which includes educational materials on ADA.

Staff Prescreening

-Center staff required to have TB skin test; medical examination required initially and every 3 years thereafter; staff must comply with screening requirements (screening required for those in contact with children 30 or more days per year).
-Criminal records checks are allowed, but not required.
-Crimes that prohibit employment: no information available.
-Not required - child abuse clearance and criminal background check, unless reason to suspect; also chest x-ray, unless need is indicated by other tests; AIDS test, measles and Hib, drug and alcohol tests.
-3 written references required in addition to information about last employment.
-Temporary substitutes must meet most requirements of other caregivers but not required to have physical exam.

Staff Training

-Directors required to have high school diploma, 2 years experience, and orientation to job; lead/head teachers: high school education and orientation; assistant teachers and teacher aides: literate and have an orientation; dietician kitchen staff required to have an orientation.
-18 hours annual in-service training required for directors.
-12 hours required for caregivers.
-No special training required for infant care, care of children with disabilities, sick child care, or drop-in care.

Child Documentation Policy

-Information (application) form, child health record, including immunizations and additional exam for infants and toddlers, and health history required.

-No provision for screening children for blood lead level prior to acceptance into licensed child care program.

Child Immunization Policy

-Enrolled children must be immunized, including Hib.

Discipline Policy

-No physical punishment allowed in centers.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of lead, asbestos, or radon as a condition of licensure.

-There is no state financial assistance for the inspection and remediation in child care facilities for asbestos, radon or lead.

National Life Safety Fire Code Policy

-Has been adopted through Fire Marshal (educational codes).

Regulatory Process Subcontracting Policy

-TN does not subcontract any or all of the child care center regulatory process to a public or private agency/organization; however, orientation of potential child care providers is very time consuming and consideration has been given to using a subcontractor for this talk to free up licensing counselor time.

Smoking Policy

-Currently smoking is prohibited in the presence of children; the "Children's Clean Indoor Air Act" permits adults to smoke in designated smoking areas where children are not allowed access, but written notification must be given to the parents of such a designated area.

Swimming Pool Policy

-Special regulations exist.

-Child/staff ratio must be double the normal ratio.

Transportation Policy

-Compliance with state law regarding safety restraints, commercial driver's license, and liability insurance required when transporting children.

Drop-In Child Care

-"Drop-in" child care (or "casual care") are exempt from licensure, but required to maintain records on children they care for (names, dates, times in attendance, parents' names and whereabouts, emergency contacts). Further requirements to qualify a site as casual care include: being connected with an activity (such as shopping or church-going but not parents employment), care per

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child does not exceed nine hours per week, posting signs stating that they are a casual care and not required to be licensed, and having parents sign a statement that makes then aware of this fact.

Infant Care Programs
-Additional exam for infants and toddlers required at enrollment; center must also keep daily "activity record."
-No information available about the number of "infant only" centers.

Overnight Care Programs
-Minimal additional regulations exist.
-30 centers provide overnight care.

Programs for Children with Disabilities
-Separate regulations exist relating to equalizing environment.
-Training provided for staff who are holding workshops for providers to educate them on ADA.
-Regional child care resource centers are being established to assist caregivers in successfully including children with disabilities.

School Age Care Programs
-Separate regulations exist.

Sick Child Care Programs
-No special regulations.

Subsidized Programs
-DHS contracts with 14 public or non-profit agencies called Child Care Broker Agencies to manage the voucher program and determine eligibility for CCDBG, SSBG, and At-Risk subsidy.

Reporting Child Abuse and Neglect
-Every county has a phone number with 24-hour availability.

Local Contacts
-District 1
213 W. Maple Street, P.O. Box 2120, Johnson City, TN 37605-2120

-District 2
State Office Building, 531 Henley Street, Suite 501, Knoxville, TN 37902

-District 3
444 Neal Street, P.O. Box 659, Cookeville, TN 38503

-District 4
TDHS, 1st Floor, Chattanooga State Office Building, 540 McCallie Avenue, Chattanooga, TN 37402

-District 5
209 Wayne St., Ste. 1, P.O. Box 329, Columbia, TN 38402-0239

-District 6
900 2nd Ave., N., Nashville, TN 37202

-District 7
1263 Highway 45, Bypass North, P.O. Box 8, Trenton, TN 38382

-District 8
170 North Main, 8th Floor, Memphis, TN 38103

-District 9
350 Pageant Lane, Clarksville, TN 37040

New or Pending Legislation

- New standards went into effect 10/31/98; a legislative committee will review new standards in January, it is possible further changes will be made.

TEXAS (TX)

Information
Supplied by: Bill Carver, Standards Specialist
Department of Protective and
Regulatory Services, M.S. E550
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Austin, TX 78714-9030
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FAX: (512) 438-3848

Number and Definition of Regulated Programs

-7,733 licensed centers.

-Nursery schools and kindergartens and schools are not included in this number, religiously affiliated centers are included.

Requirements

-License required; preapproval inspection required.

-Licenses and certificates are non-expiring (valid until revoked or surrendered).

-There is an application fee of $35, provisional license fee of $35 and when the non-expiring license is issued there is another fee of $35 plus $1 for each slot in the licensed capacity. The $35 plus $1 is due each year. Fees go into the state's general fund.

-Fire safety, sanitation, and gas pipes inspections required annually; building code inspection required in some localities.

-Insurance Requirement: Liability insurance in the amount of at least $300,000 for each occurrence of negligence covering injury to a child while the child is in the care of license holder OR the facility must provide the Licensing Division and parents written notification if liability insurance is unavailable because of financial reasons or inability to find an underwriter willing to issue policy or the limits of the current policy are expended.

-Physical security of the child care center (such as a card access system) is not addressed by the State.

-One staff per group of children must have current training in first aid with rescue breathing and choking; one staff per facility (or group of children away from facility) must have current training in CPR for infants and children.

Regulations

-The following space requirements must be met:

-Centers licensed after 8/31/97 must have at least 30 sq. ft. of indoor activity space, measured wall-to-wall on the inside for each child in the center, not including single-use areas such as restrooms and kitchens. Each child under 18 months old must have 30 sq. ft. of indoor activity space in the area(s) in which care is being given.

-If a new owner of a center licensed prior to 8/31/97 can demonstrate that the property easement, deed restrictions, building code or fire code restrictions prohibit compliance with square foot requirements for children under 18 months the center will not be required to meet those standards.

-80 square feet of outdoor play space for each child using the outdoor area at one time.

-Unless the only children using the outdoor area are 5 years old or older, the outdoor play area must be enclosed by a fence at least 4 feet high with at least 2 exits that can be opened immediately by staff. One exit may be an entrance to the building.

-Current staff/child and group size ratios:

Age Group	# of Children Supervised by 1 Staff	Maximum Group Size
0-11 mos	4	10
12-17 mos*	6	14
12-17 mos**	5	13
18-23 mos	9	18
2 yrs	11 - 13	22 - 26
3 yrs	15 - 17	30 - 34
4 yrs	18 - 20	35
5 yrs	22 - 24	35
6-8 yrs	26	35
9-12 yrs	26	35

* Effective until September 1, 1999
** Effective after September 1, 1999

-The staff/child ratio described above is based on the age of more than half of the children in the group. The larger number indicating the staff/child ratio for ages 2 through 5 years are the ratios for groups where more than half of the children are a year or more older than the specified age group.

-Maximum group size described above is also the staff/child ratio allowed when 2 staff are present.

-Maximum group size may be exceeded, provided the staff/child ratio is maintained for each group, under the following conditions: (1) for children 18 mos. through 4 years of age for a maximum of 30 minutes; (2) for children 5 years old and older for a maximum of 1.5 hours; and (3) for field trips, outdoor play, and naptimes for the length of that activity.

-Special Times: 45 minutes after opening and 45 minutes before closing, the children may be regrouped at a ratio of 1 staff member per group of 16 children 18 months of age and older.

-Naptime staff/child ratios: for children 18 mos. and older - 50% of current ratio plus 25% of remaining staff in the building and not counted in the staff/child ratio for another group.

-When a child in the group is under 18 months of age, the oldest child in the group must not be more than 18 months of age older than the youngest child unless there are fewer than 12 children at the center.

-One person per group of children is required to be certified in First Aid with choking and rescue breathing, and one person present in each facility is required to be certified in CPR.

Unannounced Inspection Policy

-Law requires one unannounced visit per year, but all may be.

Complaint Procedure

-The licensing agency cannot itself close a day care center; however, the licensing statute allows the agency to petition the court for a temporary restraining order or an injunction.

-Due process requirements dictate that any time noncompliance with the child care standards could lead to a revocation, the facility is given notice and an opportunity to correct.

-Length of time center has to come into compliance varies according to the particular noncompliance(s) in the situation. Some are immediately correctable, while others may take longer.

-Resource and referral agencies notified when a center is closed.

-Response process to complaints registered against a center: runs on a system of priorities based on the nature of the allegations.

Staff Qualifications

-No person with a conviction or who is under indictment for, or is the subject of an official criminal complaint alleging violation of any of the crimes listed in Appendix II or a felony violation of Texas Controlled Substance Act may be present while children are in care.

-The director must be at least 21 years of age and have a high school diploma or its equivalent and one of the following (a person who is a director of a center on June 1, 1995 has 4 years from that date to comply if that person remains in the same position):

-as associate in applied sciences degree in child development or a related degree with 6 college credit hours in child development and 6 college credit hours in business management, and 2 years experience in licensed child care facility;

OR

-a Child Development Associate credential with 6 college credit hours in business management, and 2 years experience in a licensed child care facility;

OR

-60 college credit hours with at least 9 credit hours in child development or early childhood education or the equivalent and 6 credit hours in business management, and 2 years experience in a licensed child care facility;

OR

-a child care administrator's credential issued by professional organizations or educational institutions that are recognized by the Licensing Division based on published criteria, and 2 years of experience in a licensed child care facility;

OR

-3 years experience in a licensed child care facility and 9 credit hours in child care, child development or early childhood education and 9 credit hours in business management from an accredited college or university (5 continuing education units (CEU's) may be substituted for each 3 credit hours;

OR

-a bachelor's degree from an accredited college or university with 12 credit hours of development or early childhood education, 6 credit hours of business management, and 1 year of experience in a licensed child care facility.

-Staff in child care centers must be at least 18 years of age and have a high school diploma or its equivalent. Persons 16 or 17 years old must not be left alone with and in charge of a group of children but may be counted in the child/staff ratio provided that person works in the same room with and is supervised by a qualified staff member and:

a. has a high school diploma or its equivalent; Or

b. is enrolled in or has completed a career program related to child care approved by the Texas Education Agency or another state or federally approved child care career related program.

Staff Prescreening

-All staff names are checked with state's department of public safety; criminal records background check required; fingerprinting required if they live outside the state and work in a TX facility; child abuse clearance required for all staff.

-TB skin test (required if recommended by the local or state Health Department); no recent change in TB screening policy.

-FBI criminal records checks are done in certain circumstances.

-Crimes that prohibit employment: Any conviction of an offense under Title 5, Title 6 or Chapter 43 are barred from working in child care. (Offenses are listed in Appendix II of the Minimum Standards.)

-Not required - medical examination, AIDS test, Hib and measles immunizations, and drug and alcohol tests.

-Conditional hiring prior to results of prescreening is allowed until results are received.

-Written references not required.

-Substitutes are permitted and generally must meet the same requirements as regular staff.

Staff Training

-The director must participate yearly in at least 20 clock hours of training. At least 6 clock hours must be in management and staff supervision and 6 clock hours must be in child development or early childhood education. The director of a school-age-care-only facility may substitute 6 clock hours in recreational leadership or related area for the 6 clock hours in child development or early childhood education.

-Before new staff without experience in a regulated child care facility or relevant training are given responsibility for a group of children they must complete 8 hours of preservice training which covers the following areas: developmental stages of children; age-appropriate activities for children; positive guidance and discipline of children; fostering children's self-esteem; health and safety practices in the care of children; positive interaction with children; supervision of children; and detection and reporting of suspected child abuse and neglect.

-All new staff, including volunteers who are counted in facility child/staff ratio, must be oriented in the following when they begin work:

-the requirement in these minimum standards;
-the facility's child care policies, including discipline, guidance, and the release of children;

-the procedures to follow in handling emergencies; and
-use and location of fire extinguishers.

-All staff must obtain at least 15 clock hours of training annually, exclusive of CPR and First Aid, selected from the following areas: child development; care of children with disabilities; adult and child health; nutrition; safety; curriculum-planning; risk management; identification and care of ill children; recognition of child abuse, neglect and sexual abuse, and responsibility for reporting these; cultural diversity; professional development (communication, time management, stress management). For staff assigned to particular groups of children, topics from the following areas are included in the clock hours: care of infants; care of toddlers; care of preschool children; care of school-age children.

Child Documentation Policy

-The center must obtain enrollment information for each child before admission. The center must keep this information as long as the child is in care. The parent must sign a form that contains detailed information on the child.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Immunization and tuberculosis test requirements ensure that each child's immunization record includes the child's birth date, the number of doses and types, and the date (month, day and year) the child received each immunization; compliance is measured by one or more of the following ways:

-a dated record that the child has been immunized against diphtheria, tetanus, pertussis, polio, measles, mumps, rubella, and Hib (record with a rubber stamp or signature of the physician or health personnel or machine or handwritten copy of the immunization record with handwritten copies signed by the person making the copy); a dated statement by physician or other authorized health personnel that immunizations have begun; a certificate or affidavit signed and dated by a physician duly licensed to practice in the United States stating the immunization would be injurious to health and well-being of the child; an affidavit signed by parent or guardian stating immunization conflicts with tenets and practices of a recognized religious organization; and a dated statement signed by the child's parent that the child's immunization record is current and on file at the school the child attends.

-All enrolled children must be immunized per the following schedule:
-Younger than 2 months - none
-2-3 months - 1 dose each of polio, DTP/Dtap and Hib vaccine
-4-5 months - 2 doses of polio, DTP/Dtap and Hib vaccine
-6-11 months - 2 doses of polio and Hib vaccine; 3 doses DTP/Dtap vaccine
-12-14 months - 1 dose MMR; 2 doses Hib vaccine; 3 doses polio and DTP/Dtap vaccine
-15 months through 4 years - 1 dose of Hib on or after 15 months unless a schedule for a primary series and a booster was completed prior to or at 15

months of age; 1 dose MMR; 3 doses polio; and 4 doses DTP/Dtap vaccines
- -5-6 years - 3 doses of polio vaccine, including 1 dose since 4th birthday; 4 doses DTP/Dtap including 1 dose since 4th birthday; 1 dose rubella vaccine on or after 1st birthday or serologic confirmation of rubella immunity; Proof of pertussis vaccination not required for children age 5 years and older.
- -7 years and older - 3 doses polio, including one since 4th birthday; 3 doses DTP/Dtap including 1 dose since 4th birthday and 1 dose within the past 10 years; 1 dose MMR vaccine on or after 1st birthday or serologic confirmation of rubella immunity; 1 dose of measles vaccine on or after 1st birthday (second dose of measles vaccine required for children born on or after 9/1/78; proof of second dose of measles vaccine not required until the child is 12 years old, plus 30 days) or a physician-verified history of measles illness or serologic confirmation of measles immunity will satisfy either requirement; and 1 dose mumps vaccine on or after first birthday or physician-verified history of illness or serologic confirmation of mumps immunity.

-All immunizations should be completed by the time of enrollment; however, a provisional enrollment is allowed, provided at least one immunization has been received and the remaining required immunizations must be completed as soon as it is medically possible.

-Exclusions allowed by law for medical or religious reasons.

Discipline Policy

-Discipline and guidance of children must be consistent and based on an understanding of individual needs and development.

-Positive methods which encourage self-esteem, self-control, and self-direction must be used.

-There must be no harsh, cruel or unusual treatment.

1. Corporal punishment or threats of corporal punishment are prohibited.
2. Children must not be shaken, bitten, hit, or have anything put in or on their mouth as punishment.
3. Children must not be humiliated, yelled at, or rejected.
4. Children must not be subjected to abusive or profane language.
5. Punishment must not be associated with food, naps, or toilet-training.
6. Bed wetters must not be shamed or punished.
7. Staff may use brief, supervised separation from the group if necessary, but staff must not place children in locked room or in a dark room with the door closed.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, radon or lead as a condition of licensure.

-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, lead or radon.

National Life Fire Safety Code Policy

-Has not been adopted.

Regulatory Process Subcontractor Policy

-TX does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-People must not smoke at the facility, during transportation, or on field trips.

Swimming Pool Policy

-The child/staff ratio for water activities must be met as follows:

1. For wading/splashing activities (less than two feet of water) the child/staff ratio is:

Age of Youngest Child	Number of Children	Number of Staff
0-12 months	4	2
13-17 months	5	2
18-23 months	7	2
2 years	9	2
3 years	13	2
4 years	16	1
5 years	20	1
6-8 years	22	1
9-13 years	25	1

-When a child under 4 years old is in the water, two staff members must supervise.

2. For swimming (more than 2 feet of water) the child/staff ratio is more strict EXCEPT that when 4 or more children are swimming, at least two adults must be present. The number of regular staff may be supplemented by parents or volunteers trained in the facility's procedures for supervising swimming.

-Swimming pools at or away from the facility, must:
 -have at least one lifesaving device for each 2,000 sq. ft. of water surface within a minimum of two devices for each swimming pool;
 -have drain grates that are in place, in good repair, and that cannot be removed without using tools;
 -not have pool chemicals that are accessible to children;
 -not have unlocked machinery rooms when the facility children are present;
 -be built and maintained according to the standards of the TX Natural Resources Conservation Commission and any other applicable state or local regulations.

-Swimming pools at the facility must be built and maintained such that unsupervised access to the pool will be prevented.

Transportation Policy

-The child/staff ratio for transporting children is:
 -One adult in addition to the driver must be present for each group of 4 children under two years of age;
 -For children 2 years old and older, the child/staff ratio is established by following the options in the regular classroom child/staff ratio.

-Each child being transported must ride in an infant carrier, child seat or seat belt, as appropriate to the child's age, size, and condition. This requirement applies to any vehicle used by or for the facility to provide transportation.

with the exception of a bus with a gross vehicular weight rating (GVWR) of 10,000 pounds or more. This requirement applies to all transportation, including, but not limited to, to and from the facility, to and from the child's school, and on field trips.

-all restraint devices must have been manufactured dynamically crash-tested according to federal standards and installed according to instructions provided by the manufacturer.

-appropriateness of infant seat, child restraint, or seat belt is determined as follows (only one child may use each seat belt at a time):

a. An infant who cannot sit up must be restrained in an infant carrier designed as a child passenger device;

b. A child under two years of age who can sit alone must be seated in a child seat;

c. A child age two or older must ride in either a child seat or in a seat belt.

-a child may ride in a shoulder harness and seat belt if the shoulder harness goes across the child's chest and not across the child's face or neck.

-the driver and all adult passengers in a vehicle transporting the children must be properly restrained by a seat belt when the vehicle is in motion.

-The following must be in the vehicle when children are being transported: a list of children being transported; first aid supplies; emergency medical treatment forms for each child being transported; a minimum of one operational fire extinguisher, approved by local or state Fire Marshal; safety secured in passenger compartment and accessible to the adult occupants.

Drop-In Child Care

-"Drop-in" child care is regulated; a separate set of minimum standards for drop-in care exists that sets health and safety standards and limits the hours and days a child can be in care.

Infant Care Programs

-There is not a separate set of standards for infant care, but the following requirements apply to children under 18 months-of-age:

1. Staff must talk to, hold, and play with the children.
2. Children in cribs, while awake, may remain in their cribs for up to one hour as long as they stay content and responsive.
3. Each child must be allowed to explore outside the crib or playpen each morning and afternoon.
4. A child not yet ready for table food must be fed a formula or diet approved in writing, signed and dated by the child's physician or parent, and dated as changes are made.
   a. Bottles must be clearly marked with the child's name.
   b. Bottles must never be propped; the child or adult must hold the bottle.
   c. Children up to 6 months of age must be held while being bottle-fed.
5. Children no longer being held for feeding must be fed in a manner that ensures their safety and comfort.
6. A staff member must always be in the room with the children.

Overnight Care Programs

-Special regulations include: applicable fire and safety requirements; staff awake at all times; appropriate sleep equipment.

-Data not available on number of centers providing overnight care.

Programs for Children with Disabilities

-No separate regulations exist.

School Age Programs

-There are individual standards in the day care standards that are specific to school-age care; a separate set of standards does not exist.

Sick Child Care Programs

-No separate regulations.

Subsidized Programs

-Contact the TX Workforce Commission (512) 936-3227.

Reporting Child Abuse and Neglect

-Statewide Child Abuse Hotline: (800) 252-5400.

-Licensing has its own specialized abuse/neglect investigations.

Local Contacts

-Local contact offices throughout the state.

New or Pending Legislation

-None.

UTAH (UT)

Information Supplied by:

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Bureau of Licensing
UT Department of Health
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Salt Lake City, UT 84114-2853
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FAX: (801) 538-6325

Number and Definition of Regulated Programs

-**320** licensed centers, providing care to 5 or more children.

-Religiously affiliated programs, as well as those regulated by the Board of Education, are exempt in certain instances; preschools are exempt unless they provide extended care.

-Includes drop-in care (hourly) and before and after school programs.

Requirements

-License required; statute does permit a two-year license.

-Licenses renewed through the mail include base fee of $35 plus $1.50 per child, deposited in the General Fund.

-Inspections required annually: fire safety (licensors cross trained and certified as fire inspectors); health (food sanitation - UT Department of Health Food Service Sanitation Regulations - requires food handler's permit and compliance with USDA requirements); immunizations; building code inspection (BCI) required prior to initial licensing.

-"Deemed Status" - in lieu of licensing inspection for programs accredited by the National Association for the Education of Young Children, National Accreditation Commission for Early Care and Education Programs or National Early Childhood Program Accreditation.

-No person applying for center licensure may have been convicted of a felony; been found in violation of any local, state or federal law which arises from or is otherwise related to the individual's relationship to a child care facility; and none of the persons within the 5 years prior to the date of application had an interest in a licensed child care facility that has been closed as a result of a settlement agreement resulting from a license revocation; and none of the persons has been convicted of child abuse, neglect or exploitation.

-A provisional license may be issued for a probationary period not longer than 6 months; are not renewable.

-A conditional license may be issued; see Unannounced Inspection Policy below.

-Physical security of the child care center requires provider to establish a policy and procedures.

Regulations

-Space requirements per child: indoor - 35 sq. ft.; outdoor - 40 sq. ft.; outdoor area shall accommodate at least 33% of the licensed capacity at one time.

-Staff/child ratio: infant/toddlers (to 24 months) - 1:4; 2 year olds - 1:7; 3 year olds - 1:12; 4 year olds - 1:15; 5 year olds - 1:20.

-At least 2 caregivers shall be present when there are more than 6 children at a center or more than 2 infants present (includes naptime); at least 2 caregivers shall accompany children when leaving the center for activities; at least one member shall have current first aid and CPR.

-Group size delineations: 0-24 months shall not exceed 8; 2 years old shall not exceed 14; 3 year olds shall not exceed 24; 4 year olds shall not exceed 30, 5 year olds and older shall not exceed 35; variable age groups may not be larger than 25 children; ratios shall be determined by averaging the ages of children for the youngest child shall be utilized.

-Naptime ratios: children 24 months or older may be under the supervision of 50% of the caregiver to child ratio for not more than 2 hours if a means of communication is maintained with another caregiver who is also on-site.

-One person on duty is required to have child and infant CPR/first aid through the Red Cross, UT Medical Emergency Training Council, or a recognized equivalent, at all times.

Unannounced Inspection Policy

-Protocols developed and implemented all inspections are unannounced, including complaints; and are at least once a year or upon complaint.

-Statement of Finding issued within 10 days of inspection; Plan of Correction from caregiver submitted within 14 days; follow-up visit within 60 days of inspection.

-All deficiencies identified as Class I - immediate harm; or Class II - potential harm; Class III - operating without a license.

-Class I or II deficiencies may result in the issuance of a conditional license.

-The Department may order the immediate closure of any licensed or unlicensed child care facility if the health or safety of the children is in immediate jeopardy during the course of adjudicative proceedings.

-All deficiencies and Plan of Correction becomes public information.

Complaint Procedure

-Protocols developed for handling all complaints, prioritize complaints: 1 - serious threat, investigate within 24 hours; 2 - potential threat, investigate within 1 week; 3 - no threat, investigate within 30 days.

-Substantiated complaints require the issuance of Statement of Finding and Plan of Correction, becomes public information.

Staff Qualifications

-No state recommended salary schedule for center staff.

-Director must be 21 years of age with sufficient freedom from other responsibilities to manage the center, be on the premises during operating hours, have a high school diploma or GED and one of the following: a BA or AA degree in Early Childhood or Child Development, or a BA in a related field with documented four courses of higher education completed in child development, or a national or state certification such as a CDA, National Administrator

Credential, Certified Childcare Professional, or other credential that is equivalent.

-Other staff: minimum age is 18 years old or graduated from high school or GED; aides permitted at age 16 which don't count in the ratios.

-Required related experience in the job assigned or receive training; preservice orientation on job description, introduction and orientation to the children, which includes special conditions of the children; policy and procedures; reporting requirements for witnessing or suspicion of abuse, neglect or exploitation.

Staff Prescreening

-Personnel health program requires a caregiver health inventory and evaluation to include caregiver's history of conditions that predispose him/her to acquiring or transmitting infectious disease or conditions which prevent the caregiver from performing certain assigned duties; includes policies for caregiver immunization components. Mantoux testing for screening TB required every two years, or as identified by the local health department.

-Personnel records include: employment application, initial health evaluation, food handlers permit, criminal background screening report, results of TB screening, documented in-service training, documentation of related experience or on-the-job training completed; first aid or CPR certification.

-Criminal records checks and child abuse and neglect checks go outside state lines.

-Crimes that prohibit employment: all felonies; misdemeanors against a person; a pattern of misdemeanors in the past five years.

-Not required - AIDS, drug and alcohol tests; no requirement for measles or Hib immunizations for staff.

-Conditional hiring prior to results of prescreening is allowed; length of time not specific.

-For use of temporary substitutes, centers must develop a list and post at the center; minimal on-site information required; must have fingerprint check.

-Written references not required; accepted and used, particularly for directors.

Staff Training

-Twenty hours of documented in-service training, at least 10 hours in-person in the following: principles of good nutrition, handwashing, OSHA and sanitation, procedures in administering medications, recognizing early signs of illness, accident prevention and safety principles, reporting requirements for communicable disease, reporting requirements for abuse, neglect, and exploitation, and positive guidance for the management of children.

-If infant care is provided, in-service requirements include the following: shaken baby syndrome, sudden infant death syndrome, copy with crying babies, and development of the brain.

-Directors shall establish written policies and monitor the facility to ensure that the use of tobacco, alcohol, ingestion of any substance (including prescription medications) in amounts known to compromise responsible judgement, are prohibited.

-All staff required to be certified in first aid and CPR.

Child Documentation Policy

-Registration form, immunization record, health assessment, proper age group with proper ratios, emergency contacts, parents information on center policy/procedures, other pertinencies such as restraining orders, transportation and medical treatment releases, medical records and attendance records required; for infants, a record of diapering, sleeping and bottle fed times.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children are required to be immunized, including Hib series, unless parents provide personal, medical or religious exemption.

Discipline Policy

-Requires clear-cut, positive guidance, and redirection that fosters child's ability to be self-directed.

-Prohibits the use of corporate punishment, restraining, use of abusive, demeaning language, withdrawal or threat of withdrawal of food, rest or bathroom opportunities; public or private humiliation or confining a child in an enclosed areas which is unsupervised.

-Written copy of discipline methods implemented shall be provided to parents.

Emergency Medical Consent Policy

-Instructions for emergency care provided by parents.

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of radon, asbestos or lead as a condition of licensure. Structures built prior to 1978 shall be tested for lead-based paint and if paint levels exceed 0.06% by weight, the structure must be remodeled.

-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, lead or radon.

-Must comply with OSHA standards and universal precautions; required to have a OSHA Bodily Fluid Clean-UP Kit in van and on premises; diapering and handwashing.

-Firearms are not permitted.

-Child care facilities must comply with the Clean Air Act.

National Life Safety Fire Code Policy

-Code has been adopted; exception is 1:4 ratio for infant care where immediate outside exit is available or room has automatic sprinklers.

Regulatory Process Subcontracting Policy

-UT subcontracts with local health departments for completion of food sanitation inspections and local fire authorities in cooperation, complete annual fire inspections.

Smoking Policy

-Smoking or use of tobacco is not permitted in any public building or child care facility licensed by the Department during the period of time a child is present in the facility.

Swimming Pool Policy

-Activities and ratios; swimming pools shall operate in accordance with R392-302.

Transportation Policy

-Vehicle must be registered and licensed; driver shall be licensed; all appropriate safety-belts and child seats required; special policies for transporting and picking up children from school.

-Smoking is not permitted at any time children are present in the vehicle.

-First aid kit and Bodily Fluid Clean-Up kit required at all times.

Drop-In Child Care

-New rules have recently been adopted regarding "drop-in" child care; no further information available.

Infant Care Programs

-Specific "infant" requirements within the statutes.

-Infants shall have physical and verbal stimulation every 30 minutes during waking hours; physical activity may not be confining an awake child to a single device such as a walker or swing; wheeled walkers not permitted.

-Baby food and formula brought from home shall be discarded within 24 hours, or after 2 hours from initiating feeding; babies unable to sit up must be held during bottle feeding.

-Infants must sleep on their backs and shall sleep in equipment designed for them such as a crib, bassinet, porta crib or play pen. Only one infant can occupy any one piece of equipment at any time.

-Infant areas shall maintain temperature of at least 70 degrees Fahrenheit at floor level.

-No information available on "infant only" centers.

Overnight Care Programs

-Extended day program standards being developed.

Programs for Children with Disabilities

-Drafting new standards to be adopted in 1999.

School Age Care Programs

-New standards being developed to be implemented in 1999.

Sick Child Care Programs

-No specific special standards.

Subsidized Programs

-Contact Department of Workforce Services, Office of Child Care, 140 East 300 South, Salt Lake City, UT 84111; phone (801) 531-3780.

Reporting Child Abuse and Neglect

-Call (800) 678-9399, all law enforcement agencies, number identified for 24-hour call within the Division of Child and Family Services.

Local Contacts

-Debra Wynkoop-Green, Director, (801) 538-6152 or Joel Hoffman, Program Manager Child Care Unit, (801) 538-9299.

New or Pending Legislation

-Governor Leavitt is committed to provide quality child care and is proposing an increase to the Office of Child Care of $5 million and including $75,000 to implement the drop-in child care licensing requirements.

-Legislation created a Task Force to study the Impact of Child Care Licensing in FY 99.

-Three new bills pending including a background check through the FBI.

VERMONT (VT)

Information
Supplied by: Coleman Baker, Chief
Child Care Licensing
Child Care Services Division
103 South Main Street
Waterbury, VT 05671-2401
PHONE: (802) 241-2158
FAX: (802) 241-1220

Number and Definition of Regulated Programs

- **515** licensed centers (includes 80 licensed preschools).
- Day care center and preschool category; all are known as Early Childhood Programs with same regulations.
- Number includes nursery schools, prekindergartens and religiously affiliated centers, and non-recurring child care settings at ski areas and shopping malls.

Requirements

- License required; preapproval inspection required; annual renewal required; no license fee.
- Fire safety and building code inspections only at initial licensure and upon complaint.
- Regular general liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
- Staff/child ratios: infants - 1:4; toddlers - 1:5; preschool - 1:10; school age - 1:13; mixed age groups - lowest ratio.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: maximum number of children assigned to a teacher/caregiver or team of staff members who meet together regularly and can be identified with one another as being distinct from the larger population of children in care.
- Must have one person on duty at all times with CPR training.

Unannounced Inspection Policy

- Two unannounced monitoring visits each year, unless warranted more often.

Complaint Procedure

- Immediate closing of a center (suspension) required if children are in imminent peril; otherwise infraction determines how long center has to come into compliance: immediately-90 days.

-Resource and referral agencies notified when a center is closed or if revocation intention is sent.
-All complaints against a center (anonymous or otherwise) are investigated.

Staff Qualifications
-No state recommended salary schedule for center staff.
-Minimum age requirement for working in a center is 18; minimum is 16 in school age programs when within sight or earshot of a qualified adult caregiver; 17 for vo-tech child care students/graduates.
-All staff shall be knowledgeable in administering basic first aid.
-Compliance with ADA in staff hiring involves providing information to administrators.

Staff Prescreening
-All staff are required to be prescreened by VT child abuse clearance and VT criminal records background check.
-Crimes that prohibit employment: most felonies and offenses of violence or unlawful sexual activity.
-Not required - fingerprinting, TB skin test, chest x-ray, medical exam, AIDS test, Hib and measles immunizations, and drug/alcohol tests; no recent change in TB screening policy.
-Three written references or notes taken in telephone interviews required from non-related persons.
-Temporary substitutes must have 3 references prior to 4th day of assignment.

Staff Training
-Preservice education and experience required for center directors, lead/head teachers, and teachers; assistants must complete 30 hour course in child development within one year of commencing employment; no requirements for the dietician and kitchen staff.
-6 hours in-service training is required annually for staff.
-9 hours for the director and head teacher.
-2 hours of specialized training required for infant, toddler, preschooler, and schoolager care, care of children with disabilities, or drop-in care, depending on the age of the children in the caregiver's group (may be included in above-listed training hours).

Child Documentation Policy
-Written information required for child enrollment.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children required to be immunized; Hib required.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are required to be tested for the presence of asbestos as a condition of licensure; in buildings constructed prior to 1978 essential maintenance practices must be performed annually to protect children from hazards associated with lead paint; no requirement for testing for radon.

-There is state financial assistance for inspection in child care facilities for asbestos and lead but not for radon.

National Life Safety Fire Code Policy

-Adopted; if new construction, 1987 BOCA with 1988 Supplement; for existing, NFPA 101 Life Safety Code 1994.

Regulatory Process Subcontracting Policy

-VT does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited on the premises or in view of the children.

Swimming Pool Policy

-Guidelines include: prior written permission, lower child/staff ratios; pools must be fenced and equipped with special locking devices.

-Child/staff ratio affected: Non-schoolage children are 1:2 if no lifeguard is present or 1:4 if lifeguard is present and dedicated to group; 1:6 for schoolagers if no lifeguard dedicated to group; 1:12 if lifeguard is dedicated to schoolagers group.

-Staff not required to have Red Cross lifesaving training.

Transportation Policy

-Numbers, seatbelts, car seats required.

Drop-In Child Care

-Separate regulations exist for "drop-in" child care; not applied to "Health Clubs".

Infant Care Programs

-Smaller staff/child ratio and rocking chairs required in infant areas; toileting and highlights of child's day reported to parents each day.

-No centers provide care to "infants only," however, this is not prohibited by state regulation.

Overnight Care Programs

-Special regulations for overnight care.

-Few, if any, provide centers provide overnight care, but not prohibited by regulation.

Programs for Children with Disabilities

-Staff must know how to respond to particular child.

-Compliance with ADA in providing services to children involves bringing information to the staff.

School Age Care Programs

-Separate regulations exist for programs providing care for school age children.

Sick Child Care Programs

-No care permitted for sick child care; however, a work group has been assigned to develop requirements in this category (in process).

Subsidized Programs

-Contact Child Care Services Division, 103 South Main St., Waterbury, VT 05671-2401; (802) 241-3110.

-15% pay differential paid to programs accredited by NAEYC and NCCA.

Reporting Child Abuse and Neglect

-Call (802) 241-2131.

Local Contacts

-No information provided.

New or Pending Legislation

-None.

VIRGIN ISLANDS (VI)+

Information Supplied by:	Leitha E. Cummings, Coordinator Licensing & Regulatory Svs. Department of Human Services 3011 Golden Rock Christiansted, St. Croix, VI 00820 PHONE: (340) 773-2323 ext 2022 FAX: (340) 773-6121

Number and Definition of Regulated Programs

-**205** licensed centers.

-Includes nursery schools, preschools, prekindergartens and religiously affiliated centers; certification required government centers.

Requirements

-License for private centers; preapproval inspection required.

-License renewed annually; certificates renewed biennially; fee is $50; fees used for training and other activities.

-Provisional licenses may be issued, but not valid for more than six months.

-Fire safety and sanitation inspections required annually; building code inspections required initially.

-General and/or professional liability insurance not required.

-Physical security of the child care facility (such as a card access system) is not addressed.

Regulations

-Space requirements per child: indoor - 25 sq. ft.; outdoor - 45 sq. ft.

-Staff/child ratios: 2-3 years - 1:8; 3-4 years - 1:9, 4-5 years - 1:11; school age - 1:12; mixed ages - determined by age of youngest child.

-Children under 2 years of age not permitted in centers.

-Naptime staff/child ratios: same as above; no change.

-Group size delineations: if mixed age groups - 2-6 years (maximum group size - 8); 3-6 years (maximum group size - 9); 4-6 years (maximum group size - 20); 6-14 years (maximum group size - 24); and 8-14 years (maximum group size - 30); if homogeneous grouping - 2-3 years (maximum group size - 8); 3-4 years (maximum group size - 18); 4-5 years (maximum group size - 22) and 5-6 years (maximum group size - 24).

Unannounced Inspection Policy

-At least 2 inspections per year must be unannounced; all others may be announced or unannounced.

Complaint Procedure

-Are policies which require immediate closing of a center.
-Length of time center has to come into compliance depends on severity of violation.
-No formal resource and referral agencies.
-Complaints registered against a center are investigated.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for center director - 21; minimum age requirement for staff - 18.
-At least one staff person must be certified in CPR/first aid with every three year recertification.

Staff Prescreening

-Staff required to be prescreened by child abuse clearance, criminal background check, and TB skin test; chest x-ray required if indicated; no recent change in TB screening policy; medical examination required if staff member is over age 60; no information on requirement for measles or Hib immunizations.
-Crimes that prohibit employment: sexual offenses, drug offenses, felony offenses
-Not required - fingerprinting, AIDS, drug and alcohol tests.
-3 written references from unrelated persons required for center staff.
-Conditional hiring not allowed.
-No policy regarding use of temporary substitutes.

Staff Training

-Combination of preservice education and/or experience required for center director.
-Teaching staff required to have GED or 3 years experience working in an early childhood program; no requirements for the dietician and kitchen staff.
-In-service training required twice a year for teaching staff.
-Special training required for care of children with disabilities.
-No special training for sick child or drop-in care.

Child Documentation Policy

-Center must maintain a record on each enrolled child.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children required to be immunized.
-Immunization required as part of annual health examination, including Hib.

Discipline Policy

-Corporal punishment is prohibited.

Emergency Medical Consent Policy

-Written consent required, but does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of asbestos, lead or radon as a condition of licensure.
-There is no state financial assistance for the inspection and remediation of child care facilities for radon, asbestos, or lead.

National Life Safety Fire Code Policy
-Has not been adopted.

Regulatory Process Subcontracting Policy
-VI does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is prohibited in the presence of children.

Swimming Pool Policy
-At least one adult holds current life-saving certificate, other staff members who can swim.
-Children must be supervised while in the water.
-Child/staff ratio not affected.

Transportation Policy
-Special regulations concerning the transportation of children included.

Drop-In Child Care
-"Drop-in" child care is not regulated.

Infant Care Programs
-No infant care (children under age 2 years) permitted in centers.

Overnight Care Programs
-Special additional rules and regulations.
-Number of programs providing overnight care unknown.

Programs for Children with Disabilities
-Special additional rules and regulations.

School Age Care Programs
-Separate regulations do not exist.

Sick Child Care Programs
-No information provided.

Subsidized Programs
-Licensed facilities may register with the Department of Human Services for participating in Child Care and Development Block Grant certificate program.

Reporting Child Abuse and Neglect
-Call (809) 773-9272, (809) 776-3966, (809) 774-0930 or (809) 773-2323.

Local Contacts

-Juliette Millin, Deputy Commissioner
Licensing & Regulatory Svs.
Dept. of Health & Human Svs.
1303 Hospital Ground
St. Thomas, VI 00802
809-774-0930 X 4180
809-774-3466 (fax)

Leitha Cummings
Licensing Coordinator
Dept. of Human Svs.
3011 Golden Rock
Christiansted, St. Croix 00820
340-773-2323
340-773-6121 (fax)

New or Pending Legislation

-Current regulations being evaluated for possible revision.

+ Information not reverfied.

VIRGINIA (VA)

Information
Supplied by: Arlene Kasper
Program Development Supervisor
DSS, Division of Licensing Programs
Theater Row Building
730 E. Broad Street
Richmond, VA 23219-1849
PHONE: (804) 692-1791
FAX: (804) 692-2370

Definition and Number of Regulated Programs

- **2,402** licensed centers [with a capacity of 188,295].
- This includes child care centers, nursery/preschools, and hospital operated centers.
- Religiously affiliated centers may choose voluntarily to be licensed, but are otherwise exempt.
- Accredited preschools that meet certain criteria can go through a certification process instead of licensure.

Requirements

- License required; preapproval inspection required.
- Licenses renewed up to three years; fees based on capacity and range from $14 - $200; fees used for provider training.
- Fire safety inspections required annually; water, sewage and food service inspections required annually; building code inspections required initially; asbestos inspection required one time.
- General liability insurance required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 25 sq. ft.; outdoor - 75 sq. ft.
- Staff/child ratios: infants -1:4; young toddlers - 1:5; 2 and 3 year olds - 1:10; 4 year olds - 1:12; schoolage - 1:20; mixed age groups - ratio for youngest child applies; "balanced mixed-age groupings" of children ages 3-6 years - 1:15. Balanced mixed-age grouping means a program planned for 3-5 year-old children in which the enrollment in the group is comprised of 1/3 of each of three ages and is designed for children and staff to remain together with turnover planned only for the replacement of graduating older children with incoming younger children.
- More restrictive staff/children ratios for centers falling under the definition of a therapeutic child development program.

-Naptime staff/child ratios: ratios may double (for children 16 months old to age of eligibility to attend public school), if (1) staff person is in sight and sound of resting children, (2) staff are within facility and available to assure safe evacuation in an emergency, and (3) an additional person is present if necessary.
-Group size delineations: none.
-Centers must have at least one staff person on the premises during all hours of operation and at least one person on field trips and wherever children are in care who has current certification in first aid, CPR and rescue breathing from the American Red Cross, American Heart Association, or National Safety Council, or other designated program approved by the Department of Social Services. Primitive camps must have a staff person on the premises during the hours of operation who has successfully completed at least first responder training within the past 3 years.

Unannounced Inspection Policy

-At least one announced and one unannounced visit per year.

Complaint Procedure

-No policies require immediate closing of day care centers; any noncompliance that is cited constitutes a warning.
-Length of time center has to come into compliance depends on circumstances. Sanctions may be imposed, including: (1) Reduce capacity; (2) restrict new admissions; (3) require training; (4) deny renewal of license (5) revoke current license; (6) place on probation; (7) require probationary status announcements, provisional licenses and denial or revocation notices be posted; (8) assess civil penalties of not more than $500 per violation; (9) require licensee to contact custodial parents or guardian in writing regarding health and safety violations, and (10) prevent licensee from receiving public funds.
-No process for notifying resource and referral agencies when a center is closed, but they may contact state agency for directory of currently licensed centers.
-Complaints, written or oral, registered against a center are responded to.
-Hotline established: (800) KIDS-LIL (800) 543-7545 for complaints and information; includes information on: becoming a licensed child care provider, provider training programs, The Virginia Child Care Scholarship Program and the Voluntary Registration Program.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for center program directors is 21, program directors of short term centers for only school-age children can be as young as 19 years if the director has daily supervisory contact by a person at least 21 years of age who meets one of the program director qualification options; minimum age for other staff other than aides is 18; minimum age for aides is 16.
-Compliance with ADA in staff hiring.

Staff Prescreening

-Staff required to be prescreened with criminal records background check; need to provide documentation of being free of TB in a communicable form upon initial employment and a tuberculosis examination every two years.

- Sworn disclosure statement must be completed for certain crimes/abuse/neglect within or outside of Virginia prior to employment.
- Crimes that prohibit employment: felony offenses within the past 5 years, sexual offenses, drug offenses, child and adult abuse and neglect, and others.
- Child abuse clearance required for staff hired on or after July 1, 1998. Not required: fingerprinting, chest X-ray, medical examination, AIDS test, Hib and measles immunizations and drug, alcohol tests.
- Conditional hiring is allowed: 21 days for TB test, criminal background check, and child abuse clearance.
- Require two references from previous employers or other knowledgeable and objective sources - need not be in writing.
- A center shall maintain the ratio by temporary or substitutes; but any employee and certain volunteers coming in contact with children must have TB test, criminal record check, child abuse clearance, training and meet general qualifications.

Staff Training

- Directors: 21 years of age plus: graduate degree in child related field and 6 months programmatic experience; or B.A. in a child related field and 1 year programmatic experience; or 48 semester hours in a child related field and 1 year programmatic experience; or 3 years programmatic experience with 1 year staff supervisory experience and high school diploma, GED, or home school program. Experience must be in a center with a staff training program that meets certain requirements; or 2 years programmatic experience with 1 year staff supervisory experience plus one of the following: 1 year (30 credit) Early Childhood Certificate; or child development credential by an organization approved by the department; or certification of qualification from an internationally or nationally recognized Montessori organization. [Experience must be in a regulated program. In programs exclusively for children with disabilities, the education and experience must be in the group care of children with disabilities.]
- Child care supervisors: 18 years of age and meet the program director qualifications or have 3 months of programming experience plus one of the following: one year Early Childhood Certificate and or a child development credential by an organization approved by the department; or a teaching diploma from an internationally or nationally recognized Montessori organization; or 6 months of programmatic experience, high school diploma, GED, or home school program, plus 12 hours minimum of training related to the care of children. [Experience must be in a regulated program. In programs exclusively for children with disabilities, at least 3 months of experience must be in the group care of children with disabilities. In short term programs, supervisors may have only one season of programmatic or general experience.]
- For aides, dietician or kitchen staff, general qualifications for health and orientation. (Aides must be at least 16 years of age.)
- 8 hours annual in-service training required for staff working with children.
- No special training required for infant care, sick child care, or drop in care.
- Staff working with children in programs exclusively for children with disabilities must obtain more training.

Child Documentation Policy

-Center must have on each enrolled child: name; sex; birth date; address; home phone numbers; name and phone number of child's physician; names, addresses and phone numbers of two designated emergency people; parents work numbers and place of employment; allergies; intolerances of substances and action to take in an emergency; names of persons authorized to pick up child; also child's grade level in school and name of school program, if applicable; daily attendance; immunization record; general health information; chronic physical problems and pertinent developmental information and any special accommodations; various agreements or authorizations; enrollment and termination dates; documentation of viewing proof of the child identity and age.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Immunizations required, including Hib (if child is under 30 mos. of age at the time of enrollment); required by VA Health Code.

Discipline Policy

-No form of corporal punishment may be used; a child may not be subjected to any injurious treatment or discipline methods which create undue discomfort or mental distress.

Emergency Medical Consent Policy

-Written consent required unless a parent states an objection, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of lead or radon as a condition of licensure; asbestos inspection required for centers located in facilities under construction prior to 1978.

-The Department has no state financial assistance for the inspection and remediation of child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has not been adopted.

Regulatory Process Subcontracting Policy

-VA does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited inside a center that is not used for residential purposes, and inside a center in residential areas or outside the center when in the presence of children.

Swimming Pool Policy

-Specific guidelines for swimming and wading activities are found in 22 VAC 15-30-540, 22 VAC 15-30-550 and 22 VAC 15-30-560 of the Minimum Standards for Licensed Child Day Centers.

-Child/staff ratio remain the same; senior lifesaver/instructor not counted in ratio; must have 2 staff supervising children during swimming/wading activities.
-If swim area depth is more than 2 feet, instructor must hold a current certificate issued by either Red Cross, YMCA, Boy Scouts, etc. in water safety. (Not limited to Red Cross Certificate).

Transportation Policy

-Centers must provide parents with transportation safety policies when transportation is provided.

Drop-In Child Care

-The Code of Virginia describes which programs need to be licensed and which are exempt. There is no specific exemption for "drop-in" care, although some programs may not need to be licensed because of other exemptions (such as days in operation or period of time a child is in care).

Infant Care Programs

-No separate regulation, but within the regulation there are special requirements for centers serving infants.
-Two centers offer care from infancy through 2 years of age; one center offers care from infancy through 3 years of age.

Overnight Care Programs

-There is no separate regulation for overnight care, but within child day care center regulation there are special requirements for overnight care.
-Number of centers providing overnight care not available.

Programs for Children with Disabilities

-American Disabilities Act now requires mainstreaming.
-There are special requirements for programs exclusively serving children with disabilities.

School Age Programs

-No separate regulation exists, but within the child day care center regulation there are special requirements for school age children.

Sick Child Care Programs

-No separate regulation, but have licensed several of these programs through an allowable variance or waiver process.

Subsidized Programs

-Contact Division of Services Programs, DSS, 730 East Broad Street, Richmond, VA 23219-1849 - Jean Collins (804) 692-1616.

Reporting Child Abuse and Neglect

-Call (800) 552-7096.

Local Contacts

-Central Regional Office
Wythe Building, Suite 130
1604 Santa Rosa Road
Richmond, VA 23229-5008
Phone (804) 662-9743

-Eastern Regional Office
Pembroke Office Park
Pembroke IV Office Bldg., Suite 300
Virginia Beach, VA 23462-5496
Phone (757) 491-3990

-Northern Regional Office
320 Hospital Drive, Suite 23
Warrenton, VA 20186
Phone (540) 347-6345

-Piedmont Regional Office
Commonwealth of Virginia Bldg.
10 Church Avenue, S.W., Suite 100
Roanoke, VA 24011-1779
Phone (540) 857-7920

New or Pending Legislation

-Effective July 1, 1998:
- -HB 1386 and SB 417- Authorizes the Social Services Commissioner to issue special orders to child welfare agencies who fail to comply with provisions of law or regulations, thereby causing an adverse impact on the health, safety, or welfare of children in their care.
- -HB 946- Requires that all regulated child day programs obtain information from the person enrolling the child regarding the child's previous child care and school attendance and proof of identity and age.
- -HB 1388 and SB 419- Requires that no person shall be eligible to operate or work in a child welfare agency who is the subject of a founded complaint of child abuse or neglect listed in the CPS Central Registry. Expands the list of barrier crimes to licensure, registration, or employment.
- -HB 927- Prohibits the State Board of Social Services or the Child Day-Care Council from promulgating regulations for licensed child welfare agencies that require adoption of a specific teaching approach or doctrine.
- -SB 595- Requires the State Board of Social Services in cooperation with the Department of Health and the Department of Social Services, to study the quality, affordability and accessibility of licensed and unlicensed child day care programs in the Commonwealth.

WASHINGTON (WA)

Information Supplied by:	Karen Tvedt, Chief Office of Child Care Policy P.O. Box 45710 Olympia, WA 98504-5710 PHONE: (360) 902-8038 FAX: (360) 902-7903

Number and Definition of Regulated Programs

- -**1,883** licensed centers.
- -Nursery schools and kindergartens are specifically exempted by statute; a separate or free standing preschool is exempt.
- -Religiously affiliated centers are included.

Requirements

- -License required; preapproval inspection required.
- -Licenses are renewed every 3 years; license fee is $4 per child per year; fee goes into the State's general fund.
- -Fire safety and health inspections required every 3 years.
- -General and/or professional liability insurance not required.
- -Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- -Space requirements per child: indoor - 35 sq. ft. & 50 sq. ft. for infants under one year; outdoor - 75 sq. ft.; outdoor space may be less if children rotate play (use of area).
- -Staff/child ratios: infants - 1:4; toddlers - 1:7; preschoolers - 1:10; school age - 1:15; mixed age groups - ratio designated for youngest child.
- -Naptime staff/child ratios: no change from above, but staff may perform additional activities during naptime.
- -Group size delineations: 1-11 months (maximum group size - 8); 12-29 months (maximum group size - 14); 30 months-5 years (maximum group size - 20); and 5 years and older (maximum group size - 30).

Unannounced Inspection Policy

- -Occur occasionally, usually in response to complaints; goal is to provide annual monitoring.

Complaint Procedure

- -Complaints registered against a center are prioritized; a summary suspension is used for serious health and safety violations which place children in imminent danger.

-Length of time center has to come into compliance depends on the deficiency; probationary licenses can be issued in cases of a pattern of deficiencies.
-Resource and referral agencies are notified when facility is being investigated for possible child abuse/neglect or when a letter of intent to suspend or revoke is sent.
-Complaints are traced in complaint module of automated information system.

Staff Qualifications

-No state recommended salary schedule for center staff.
-Minimum age requirement for director is 21; minimum age requirement for all other staff is 18.
-Compliance with ADA in staff hiring involves: training; a review form for licensing; a self-evaluation form for providers; and posters, etc.

Staff Prescreening

-Staff required to be prescreened by child abuse clearance, criminal records background check, TB skin test; chest x-ray is required if TB test is positive; no recent change in TB screening policy; fingerprinting is now required for licensee, staff, and volunteers who have not lived in WA for 3 years.
-Criminal records checks go outside state lines if a person has lived in WA for less than 3 years.
-Crimes that prohibit employment: felony offenses, crimes of violence and sexual offenses.
-Not required - medical examination, AIDS test, Hib and measles immunizations, and drug and alcohol tests.
-Conditional hiring is allowed; must submit request for background check within 7 working days of hiring.
-3 written references required.
-No special policies regarding the use of temporary substitutes.

Staff Training

-Preservice education and experience required for center directors and/or program supervisors; no requirements for lead/head teachers, assistant teachers, teacher aides, or the dietician and kitchen staff.
-Annual in-service training required for center staff, but staff and volunteers must be oriented to regulations, policies and procedures.
-No special training required for infant care, care of children with disabilities, sick child care, or drop in care.
-CPR/first aid is a separate preservice and/or in-service training requirement.

Child Documentation Policy

-Enrollment forms on file in center for each child.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-Enrolled children must be immunized; administrative code requires a certificate of immunization status be on file for each child in care; includes Hib immunization; immunization forms allow for parents to choose not to immunize their child.

Discipline Policy
-Corporal punishment is prohibited.

Emergency Medical Consent Policy
-Written consent required, but form does not have to be notarized.

Environmental Policy
-Facilities are not required to be tested for the presence of lead, asbestos or radon as a condition of licensure.
-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy
-Has not been adopted; WA uses the Uniform Building Code.

Regulatory Process Subcontracting Policy
-WA subcontracts part of the child care center regulatory process to two agencies: the health inspection to the Department of Health and the fire safety inspection to the Fire Marshal, each required every 3 years.

Smoking Policy
-Smoking is prohibited in child care centers.

Swimming Pool Policy
-Requirements for swimming pools include a certified lifeguard must be present.
-Child/staff ratio not affected.
-No staff requirement for Red Cross lifesaving training.
-Pool must be fenced.

Transportation Policy
-Regulations concerning the transportation of children exist.

Drop-In Child Care
-A program which needs to be licensed may choose to do drop-in care. Programs where parents are "on site" (such as a gym or grocery store), do not need to be licensed and may provide unregulated drop-in care.

Infant Care Programs
-Specific sections within requirements exist for centers which service infants.
-Centers caring for infants are required to obtain consultation from a nurse.
-No centers provide care to "infants only."

Overnight Care Programs
-For the center offering child care during the evening and nighttime hours, the licensee shall adapt the program, equipment, and staffing pattern to meet the physical and emotional needs of the child away from home at night.
-The licensee shall maintain the same staff-to-child ratio in effect during daytime care. At all times, including sleeping hours, staff shall keep the child within continuous visual or auditory range.

-The licensee shall arrange child grouping so the sleeping child remains asleep during the arrival or departure of another child.
-Number of centers providing overnight care unknown.

Programs for Children With Disabilities

-Non-discrimination is required.
-Compliance with ADA in providing services to children is the responsibility of the EEOC.

School Age Care Programs

-Separate regulations for school age child care exist.

Sick Child Care Programs

-Separate care requirements.

Subsidized Programs

-Contact Rachel Langen, Office of Child Care Policy, P.O. Box 45710, Olympia, WA 98504-5710; (360) 413-3209.

Reporting Child Abuse and Neglect

-An abuse hotline exists.

Local Contacts

-State Office
Office of Child Care Policy, 14th & Jefferson, P.O. Box 45700, Olympia, WA
98504-5700 (360) 902-8038 FAX (360) 902-7903

-Region 1
Spokane OCCP, B32-21, 1313 N.Atlantic Street, Suite 2000, TAF C-38, Spokane,
WA 99201 (509) 363-3400 FAX (509) 363-4601

-Region 2
Yakima/Toppenish OCCP, B39-10, 1002 N. 16th Avenue, Yakima, WA 98909
(509) 454-7680 FAX (509) 454-4126

-Region 3
Everett/Smokey Point OCCP, N31-9, 840 N. Broadway, Bldg. A, #540, Everett, WA
98201, (206) 339-4771 FAX (206) 339-3968

-Region 4
Seattle CSU OCCP, N56-1, 2809 26th Avenue South, Seattle, WA 98144
(206) 721-4570 FAX (206) 721-4214

-Region 4B
King South OCCP, N43-4, 1313 West Meeker, Suite 102, Kent, WA 98035
(206) 872-4033 FAX (206) 872-2780

-Region 5
Tacoma OCCP, N27-2, 1949 S. State Street, Tacoma, WA 98405
(206) 597-4271 FAX (206) 597-3640

-Region 6
Olympia OCCP, P.O. Box 45716, 5000 Capitol Blvd., Room 206, Olympia, WA
98504-5716 (360) 664-3843, FAX (360) 664-0744

New or Pending Legislation

-None.

WEST VIRGINIA (WV)

Information
Supplied by: Peggy Cartus C/O Jeanette Clement
Department of Health & Human Resources
P.O. Box 2590
Fairmont, WV 26555
PHONE: (304) 363-3261
FAX: (304) 363-5541

Number and Definition of Regulated Programs

- **320** licensed centers.
- Nursery, preschools and prekindergartens not included, unless operated more than 4 hours a day.
- Religiously affiliated centers are not included, unless they operate full days, 5 days a week for more than 30 consecutive days.

Requirements

- License is required; preapproval inspection is required.
- License is renewed every two years; no fee required.
- Building code inspection required with initial license; fire safety, nutrition and health inspections required initially and annually.
- Provisional licenses or approval allowed; not to exceed six months and may be reinstated not more than two times.
- General liability insurance is required; professional liability insurance not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements per child: indoor - 35 sq. ft. (25 sq. ft. for crawling infants); outdoor - 75 sq. ft.
- Staff/child ratios are: 0-2 years - 1:4; 2-3 years - 1:8; 3-4 years - 1:10; 4-5 years - 1:12; 5-6 years - 1:15; school age - 1:16.
- Naptime staff/child ratios: one adult for each room of sleeping children as long as all other staff needed to meet ratios remain at the facility in order to respond to emergencies.
- Group size delineations: Infants and toddlers limited to 10 in a group.
- One person on premises at all times when children are present who is certified in first aid.

Unannounced Inspection Policy

- Statute allows for anytime.
- Planning to implement at least one annually.

Complaint Procedure
-Statute provides for immediate closure of a day care center.
-Warning required on any violation which does not endanger the health, safety or well-being of the children.
-A license may be revoked or modified to provisional status until determination of compliance.
-Complaint process does not require notification to director of center before complaint is investigated. A written report of the results is given to the director.
-Resource and referral agencies are notified of a center closing; local DHHR office also notified.

Staff Qualifications
-No state recommended salary schedules for center staff.
-Minimum age for staff as follows: director - 21 years; teacher and full time teacher aide - 18 years; part time teacher aides - 16 years.
-Compliance with ADA regulations is expected.

Staff Prescreening
-Criminal background check of staff is required, TB skin test or chest X-ray, and medical examination required prior to employment and every two years; no recent change in TB screening policy; no information on Hib immunization.
-Criminal records checks and child abuse and neglect checks go outside of state lines.
-Crimes that prohibit employment: violent crimes, child abuse, neglect or sexual abuse (either convicted or awaiting hearing on such charges).
-Not required - testing for AIDS, alcohol or drugs.
-Conditional hiring is done in compliance with the Civil Rights and ADA regulations.
-Two written references required; personal and employment.

Staff Training
-Preservice education and/or experience is required for staff as follows: center directors - high school diploma or GED, 9 college credits in early childhood education field or CDA, and one year work experience with young children; teachers - high school diploma or GED; teacher aides - full time, no requirements; (part time) can only work under the supervision of a full time teacher and with work permit.
-In-service training required annually; kind and amount not specified.
-Special pre- and in-service training required for infant care.
-No special training required for care of children with disabilities, sick child or drop-in care.
-CPR is required; also 8 hours of first aid training required for all adult staff.

Child Documentation Policy
-Child documentation required includes: name, address, birth date, parent(s) or guardian(s) name, address, business address, phone numbers; name, addresses and phone numbers of emergency contact person; name address and phone numbers of authorized "pick up" persons; health and developmental information; name,

address, and phone number of child's doctor; signed emergency medical form; attendance and fee charged.
-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy
-Enrolled children must be current with appropriate childhood immunizations.
-No information provided regarding Hib immunization requirement.

Discipline Policy
-State requires that punishment cannot be humiliating, shaming, frightening, otherwise physically or emotionally damaging to children.
-No physical punishment is permitted.

Emergency Medical Consent Policy
-Signed consent for emergency medical treatment must be on file; notary not required.

Environmental Policy
-No information provided about testing of facilities for lead, asbestos or radon.

National Life Safety Fire Code Policy
-No information available.

Regulatory Process Subcontracting Policy
-WV does not subcontract any or all of the child care center regulatory process to a public or private agency/organization.

Smoking Policy
-Smoking is not prohibited by regulation; county or city laws are adhered to.

Swimming Pool Policy
-Pool must be covered when not in use; children must be supervised at all times; pool must be have a fence around it and have a locked gate.
-Trained lifeguard required.

Transportation Policy
-Regulations require driver between 18-65 years; hold valid driver's license to transport children as required by Dept. of Motor Vehicles; vehicle has age appropriate child restraints and seat belts.
-First aid kit must be in vehicle; proof of vehicle insurance in amount of $100,000 liability.

Drop-In Child Care
-"Drop-in" child care is regulated; sufficient personnel shall be available to effectively handle admission records, irregular check-in and check-out times and explanation of policies including financial arrangements; children displaying unusual anxiety symptoms shall be given special consideration; drop-ins shall be counted in the total daily enrollment and at no time shall the center exceed the number of children for which it is licensed.

Infant Care Programs
-Separate regulations which include: written references of staff indicating previous successful experiences with young children; one week of pre-service training prior to center licensing and in-service training 3 times a year; other specific requirements around health, safety, nutrition, and meeting developmental needs.
-No "infant only" centers are operating at this time.

Overnight Care Programs
-Must have awake staff in the same room; must have cots and beds with night clothes/bedding; care must not exceed 24 hours; bathing facilities must be provided; also sufficient pre-bedtime and morning staff required.
-Facility offering night care shall provide a program modification for the special needs of children overnight.
-No information provided on the number of centers providing overnight care.

Programs for Children with Disabilities
-Some separate regulations; guidelines established by state Department of Health for centers servicing children who are mentally retarded; mainstreaming is encouraged.
-Individualized service planning and delivery.

School Age Programs
-No separate regulations exist; programs servicing school age shall provide a program that is designed to compliment and supplement the child's experiences at home and school.

Sick Child Care Programs
-No special regulations.

Subsidized Programs
-Contact Dept. of Human Services, Charleston, West Virginia; (503) 558-2400.

Reporting Child Abuse and Neglect
-Contact local Department of Health and Human Resources.

Local Contacts
-Not available.

New or Pending Legislation
-Work has begun on upgrading/updating licensing regulations to be completed within the next year.
-6 new Licensing Specialists who will concentrate on child care centers have been hired; they are beginning the process of updating/upgrading regulations.

WISCONSIN (WI)

Information
Supplied by: Patty Brill-Hammes, Director
Bureau of Regulation and Licensing
Dept. of Health and Family Services
P.O. Box 8916
Madison, WI 53708-8916
PHONE: (608) 266-9314
FAX: (608) 267-7252

Number and Definition of Regulated Programs

- -**2,295** licensed centers.
- -Nursery schools and religious affiliated centers are included in this number.
- -Day care programs run by schools (public or private) are exempt from licensing; but day care programs run by public schools must meet licensing codes by law.

Requirements

- -License required; mandatory licensing for 4 or more children under 7 years old; preapproval inspection required.
- -License is continued every 2 years; license fee $30.25+$8.45 per licensed slot.
- -Initial fire safety and building code inspection required.
- -General liability insurance and vehicle insurance required; professional liability insurance not required.
- -Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- -Space requirements per child: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
- -Staff/child ratios: infants - 1:4; toddlers - 1:4; 2 to 2 1/2 year olds - 1:6; 2 1/2 to 3 year olds - 1:8; 3 to 4 year olds - 1:10; 4 to 5 year olds - 1:17; 6 years and over - 1:18.
- -Naptime staff/child ratios: adults other than required trained child care workers may be used to meet part of the staff to child ratio during naptime (i.e. cooks, secretaries, drivers).
- -Group size delineations: birth - 2 years (maximum group size - 8); 2-2 1/2 years (maximum group size - 12); 2 1/2-3 years (maximum group size - 16); 3-4 years (maximum group size - 20); 4-5 years (maximum group size - 32); and 6 years and over (maximum group size - 32).

Unannounced Inspection Policy

- -One annual unannounced monitoring visit for half day and school age programs; a minimum of one or two inspections per year to full day care, more often if a history of violations exists.

Complaint Procedure

- When there is imminent danger, immediate center emergency closing is required.
- Center has 30 days to come into compliance.
- Resource and referral agencies and county are notified by regional offices when centers are closed.
- Complaints registered against a center are investigated; findings are issued.
- Department can issue orders and assess fiscal penalties if orders not followed.

Staff Qualifications

- No state recommended salary schedule for center staff.
- Minimum age requirement for administrator and center director is 21; minimum age for other staff is 18.
- Temporary substitutes employed by the same license must be similarly qualified after 240 hours.

Staff Prescreening

- TB skin test and medical examination required; no recent change in TB screening policy; also criminal records background check, including criminal history is required through the Department of Justice; staff must fill out a statement on criminal convictions and pending charges, any child abuse or neglect or elder abuse substantiated finding and substantiated finding of abuse or neglect or misappropriation of client property on the premise.
- Criminal records checks and child abuse and neglect checks go outside state lines if a person has lived in another state in the past 3 years; a good faith effort must be made to obtain information from the other state.
- Crimes that prohibit employment: in WI, barred crimes, barred with rehabilitation crimes (unless review is completed and approval is given), substantially related crimes, acts or offenses and crimes, acts or offenses with lesser sanctions.
- Child abuse clearance through county of residence only.
- Not required - fingerprinting, chest x-ray, AIDS test, and measles immunizations, drug and alcohol tests.
- Conditional hiring prior to results of prescreening is allowed; 30 days for physical exam and negative TB skin test.
- No written references required for group day care centers.
- Temporary substitutes must be similarly qualified after 240 hours.

Staff Training

- Preservice education, 72 hours or 6 credits for teachers (2 classes for credit); 36 hours or 3 credits (1 class for credit) for assistant teachers and administrators, 80 or 160 hours or 12 credits for center directors depending on size of center. Orientation and experience required for administrators, center directors, teachers; orientation required for assistant teachers and other staff.
- Orientation and continuing education required for food service personnel.
- First aid training is required as part of orientation requirement for new staff; CPR is not required but is recommended as part of continuing education requirement.
- 25 hours in continuing education required annually for directors, administrators, child care teachers, and teacher aides working more than 20 hours a week.

-Special training required for infant care and school age; no special training required for care of children with disabilities, sick child care, or drop-in care.

Child Documentation Policy

-The licensee must maintain an up-to-date written record on each child enrolled and make it available to the licensing staff.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care facility.

Child Immunization Policy

-Enrolled children are required to be immunized, including Hib.

Discipline Policy

-Punishment which is humiliating or frightening to a child is prohibited; including corporal punishment and verbal abuse.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Water in facilities is tested for the presence of lead as a condition of licensure; testing not required for asbestos or radon; results are maintained on file.

-There is no state financial assistance for the inspection and remediation of child care facilities for lead, asbestos or radon.

National Life Safety Fire Code Policy

-Has adopted; Commerce Department (building inspectors) uses it as guideline for developing day care building codes.

Regulatory Process Subcontracting Policy

-WI does contract with the WI Child Care Improvement Project to provide pre-licensing technical assistance to prepare applicants for the submission of an application and licensing review; otherwise WI does not subcontract the child care center regulatory process to a public or private agency/organization.

Smoking Policy

-Smoking is prohibited in a child care center and in a center vehicle when children are present.

Swimming Pool Policy

-Guidelines include water quality, construction, equipment, and maintenance of pools; fence required; designated ability areas for non-swimmers, intermediates.

-Child/staff ratio is 1:25 Red Cross qualified in addition to the normal staff/child ratios of staff who can swim.

-Lifeguards need Red Cross lifesaving certificate.

Transportation Policy

-Separate regulations concerning the transportation of children.

Drop-In Child Care

-"Drop-in" child care is regulated if the care meets the statutory licensing threshold (4 or more children under age 7 unrelated to the provider are cared for at one time for compensation).

Infant Care Programs

-Additional regulations for centers which serve infants exist.
-There are centers which provide care to "infants only," defined as under 2 years of age.

Overnight Care Programs

-Special regulations for overnight care exist.
-41 centers provide overnight care.

Programs for Children with Disabilities

-No separate regulations.
-Violations of ADA are referred to the appropriate agency.

School Age Care Programs

-Separate regulations for school age child care do not exist; Additional regulations and exceptions are included in the group day care rules.

Sick Child Care Programs

-Sick child care regulations concerning isolation of children and parental consent and review of policies by medical doctor.

Subsidized Programs

-Available through county departments of social services or human services; or State DHHS, Kay Hendon: (608) 266-8200.

Reporting Child Abuse and Neglect

-Contact county Departments of Social or Human Services, or local sheriff or police department.

Local Contacts

-Northeastern Regional Office
200 N Jefferson, Suite 411
Green Bay, WI 54301-5191
(414) 448-5312

-Northern Regional Office
1853 N Stevens Street
P.O. Box 697
Rhinelander, WI 54501
(715) 365-2500

-Southeastern Regional Office
141 N.W. Barstow St., Room 209
Waukesha, WI 53188-3789
(414) 521-5100

-Southern Regional Office
3601 Memorial Drive
Madison, WI 53704-1105
(608) 243-2400

-Western Regional Office
312 S Barstow Street, Suite 3
Eau Claire, WI 54701-3695
(715) 836-2174

New or Pending Legislation

-New: Statutory requirement for criminal background checks for all regulated child care.

WYOMING (WY)

Information
Supplied by:
Glenda Lacey
Community Services Principal Representative
Department of Family Services
Hathaway Building
Cheyenne, WY 82002
PHONE: (307) 777-6595
FAX: (307) 777-3659

Number and Definition of Regulated Programs

- **218** licensed centers.
- Number includes nursery schools, prekindergartens, and religiously affiliated centers.

Requirements

- License required; preapproval inspection required.
- Licenses are renewed annually; no fee.
- Separate inspections required annually by Fire and Health Departments; building code inspection requirement depends on local authority.
- General liability or professional liability not required.
- Physical security of the child care center (such as a card access system) is not addressed by the State.

Regulations

- Space requirements: indoor - 35 sq. ft.; outdoor - 75 sq. ft.
- Staff/child ratios: 0-2 years old - 1:5; 2-3 years old - 1:8; 3-4 years old - 1:10; 4-5 years old - 1:15; 5-6 years old - 1:20; over 6 years old - 1:25. When age groups are combined, the staff requirements for the youngest age group present shall apply.
- Naptime staff/child ratios: same as above; no change.
- Group size delineations: none at present.

Unannounced Inspection Policy

- Annual renewal visits are unannounced.

Complaint Procedure

- Policies exist that allow immediate closing of a center.
- Length of time center has to come into compliance varies.
- Resource and referral agencies notified when a center is closed.
- A detailed process exists for investigation of complaints registered against centers.

Staff Qualifications

-No state recommended salary schedule for center staff.

-Minimum age requirement for director and staff is 18; minimum age requirement for aides is 16.

Staff Prescreening

-Staff required to be prescreened by medical examination, and either TB skin test or a chest x-ray; recent change in TB screening policy to biennial testing.

-Crimes that prohibit employment: Each background check is reviewed on a case by case basis; there are no particular crimes which result in an automatic prohibition of employment.

-Not required - fingerprinting, criminal records background check, AIDS test, Hib and measles immunizations, drug and alcohol tests.

-Child abuse register is checked on all directors and voluntarily on perspective staff if director wishes.

-Conditional hiring prior to results of prescreening not allowed.

-3 written references required from non-relatives.

-Substitutes who fill in for day care center staff more than 24 hours per month shall meet the same requirements as the staff member in respect to references, medical statement, TB test, all training and other staff requirements.

Staff Training

-Preservice education and/or experience requirements for center directors; no requirements for lead/head teachers, assistant teachers, teacher aides, dietician and kitchen staff.

-8 hours of annual in-service training required for center staff.

-Special training required for infant care; special training not required for care of children with disabilities, sick child care, or drop in care.

-Within 6 months of employment in day care any person having direct contact with children shall complete first aid and CPR course for infants/children; first aid training must be retaken every 3 years and CPR training for infants/children must be renewed every year.

Child Documentation Policy

-Center must maintain a record on each child.

-No provision for screening children for blood lead level prior to acceptance into a licensed child care program.

Child Immunization Policy

-All enrolled children over 19 months old required to be immunized.

-Minimum of one dose Hib immunization required by 19 months of age.

Discipline Policy

-Discipline procedures can not include any discipline that is in violation of the child abuse and neglect statute. This includes all physical discipline. The commission or allowing the commission of a sexual offense against a child as defined by law is also prohibited.

Emergency Medical Consent Policy

-Written consent required, but form does not have to be notarized.

Environmental Policy

-Facilities are not required to be tested for the presence of asbestos, lead or radon as a condition of licensure.

-There is no state financial assistance for the inspection and remediation of child care facilities for asbestos, lead or radon.

National Life Safety Fire Code Policy

-Has not been adopted.

Regulatory Process Subcontracting Policy

-WY does not subcontract any or all of the child care center regulatory process to a public or private agency/organization. There was some consideration given to privatizing child care licensing in 1995, but dropped when providers and the public objected.

Smoking Policy

-Smoking is allowed with restriction: smoking is not allowed in food preparation areas.

Swimming Pool Policy

-Swimming pools should not be accessible, preferably fenced; parental written permission; no children under 2 years of age; instructions on safe use of pool; adult supervision required at all times.

-Child/staff ratio unaffected.

-Staff not required to have Red Cross lifesaving training.

Transportation Policy

-Special regulations concerning the transportation of children.

Drop-In Child Care

-"Drop-in" child care is regulated the same as all other child care.

Infant Care Programs

-Separate regulations for centers which service infants exist.

-There are centers which provide care to "infants only," defined as newborn to two years of age; at the present time, however, there are none.

Overnight Care Programs

-The following rules apply: Children must have full meal by 8 pm, and must receive breakfast in the morning; children sleeping at facility must have separate cots or beds; bedding must be sanitized and sleep area arranged in accordance with health and sanitation rules; children over 6 years and opposite sex shall have separate sleeping areas; awake adult member on duty at all times; staff ratio must be maintained and monitoring of rooms should be every hour; children not allowed to sleep in basement unless there are two exits directly to outside; additional fire and health regulations must be in compliance.

-Number of centers providing overnight care unknown.

Programs for Children with Disabilities
-Compliance with ADA in providing services to children involves training made available to provider organizations.

School Age Care Programs
-No separate regulations exist.

Sick Child Care Programs
-No separate regulations.

Subsidized Programs
-Contact Sue Bacon, Department of Family Services, Hathaway Building, Cheyenne, WY 82002: (307) 777-6848.

Reporting Child Abuse and Neglect
-Contact any of the 23 local offices or any law enforcement agency.

Local Contacts
-Region 1
16 W 8th Street, P.O Box 785, Sheridan, WY 82801
(307) 672-2404 FAX (307) (307) 672-8948

Converse Co. Office Complex, 530 Oak, Douglas, WY 82633
(307) 358-3138 FAX (307) 358-4238

-Region 2
1301 Rumsey, Cody, WY 82414
(307) 587-6246 FAX (307) 527-7183

120 North 6th East
Riverton, WY 82501
(307) 856-6521 FAX (307) 856-7937

-Region 3
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New or Pending Legislation
-None.

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THE CHILDREN'S FOUNDATION (CF)

The Children's Foundation (CF), an educational non-profit organization, is nationally recognized for its contributions to child care, child health, child nutrition, and child support enforcement. Since its founding in 1969, CF has strived to improve the lives of children and those who care for them. Our mission is to provide a voice for children and their families on issues of critical concern at the national, state and local levels.

- CF provides resources and training for family child care providers, center-based personnel, nannies, au pairs and parents.
- CF publishes the *CF Child Care Bulletin*, the oldest continuously published national newsletter with a family child care focus, six times a year.
- CF compiles and publishes *The Family Child Care Center Licensing Study*, a state-by-state breakdown of child care regulations and requirements.
- CF publishes Fact Sheets on health-related issues for caregivers and parents in English and Spanish.
- CF provides information on the Child Care Food Program and assists in the development of food program sponsors.
- CF publishes the *Child Support Bulletin*, a quarterly newsletter, and provides information on a collection of child support topics that are pertinent for custodial parents.

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